Calendar No. 1107

98TH CONGRESS
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SENATE

REPORT
98-582

CALIFORNIA WILDERNESS ACT OF 1984

AUGUST 7 (legislative day, AUGUST 6), 1984.—Ordered to be printed

Mr. BAKER (for Mr. MCCLURE), from the Committee on Energy and Natural Resources, submitted the following

REPORT

together with

ADDITIONAL VIEWS

[To accompany H.R. 1437]

The Committee on Energy and Natural Resources, to which was referred the act (H.R. 1437) entitled the "California Wilderness Act of 1983" having considered the same, reports favorably thereon with an amendment to the text and an amendment to the title and recommends that the act, as amended, do pass.

The amendments are as follows:

1. Strike out all after the enacting clause and insert in lieu thereof the following:

That this title may be cited as the "California Wilderness Act of 1984".

TITLE I

DESIGNATION OF WILDERNESS

SEC. 101. (a) In furtherance of the purposes of the Wilderness Act, the following lands, as generally depicted on maps, appropriately referenced, dated July 1980 (except as otherwise dated) are hereby designated as wilderness, and therefore, as components of the National Wilderness Preservation System—

(1) certain lands in the Lassen National Forest, California, which compromise approximately one thousand eight hundred acres, as generally depicted on a map entitled "Caribou Wilderness Additions—Proposed", and which are hereby incorporated in, and which shall be deemed to be a part of the Caribou Wilderness as designated by Public Law 88-577;

(2) certain lands in the Stanislaus and Toiyabe National Forests, California, which comprise approximately one hundred sixty thousand acres, as generally depicted on a map entitled "Carson-Iceberg Wilderness—Proposed", dated July 1984, and which shall be known as the Carson-Iceberg Wilderness: *Provided,*

S313-36

however, That the designation of the Carson-Iceberg Wilderness shall not preclude continued motorized access to those previously existing facilities which are directly related to permitted livestock grazing activities in the Wolf Creek Drainage on the Toiyabe National Forest in the same manner and degree in which such access was occurring as of the date of enactment of this title;

(3) certain lands in the Shasta Trinity National Forest, California, which comprise approximately seven thousand three hundred acres, as generally depicted on a map entitled "Castle Crags Wilderness—Proposed", and which shall be known as the Castle Crags Wilderness;

(4) certain lands in the Shasta Trinity National Forest, California, which comprise approximately eight thousand two hundred acres, as generally depicted on a map entitled "Chanchelulla Wilderness—Proposed", and which shall be known as Chanchelulla Wilderness;

(5) certain lands in the Angeles National Forest, California, which comprise approximately four thousand four hundred acres, as generally depicted on a map entitled "Cucamonga Wilderness Additions—Proposed", dated July 1984, and which are hereby incorporated in, and which shall be deemed to be a part of the Cucamonga Wilderness as designated by Public Law 88-577;

(6) certain lands in the Los Padres National Forest, which comprise approximately sixty-four thousand seven-hundred acres, as generally depicted on a map entitled "Dick Smith Wilderness—"Proposed", dated July 1984, and which shall be known as Dick Smith Wilderness: *Provided,* That the Act of March 21, 1968 (82 Stat. 51), which established the San Rafael Wilderness is hereby amended to transfer four hundred and third acres of the San Rafael Wilderness to the Dick Smith Wilderness and establish a line one hundred feet north of the centerline of the Buckhorn Fire Road as the southeasterly boundary of the San Rafael Wilderness, as depicted on a map entitled "Dick Smith Wilderness—Proposed", and wherever said Buckhorn Fire Road passes between the San Rafael and Dick Smith Wildernesses and elsewhere at the discretion of the Forest Service, it shall be closed to all motorized vehicles except those used by the Forest Service for administrative purposes;

(7) certain lands in the Sierra National Forest, California, which comprise approximately thirty thousand acres, as generally depicted on a map entitled "Dinkey Lakes Wilderness—Proposed", and which shall be known as the Dinkey Lakes Wilderness: *Provided,* That within the Dinkey Lakes Wilderness the Secretary of Agriculture shall permit nonmotorized dispersed recreation to continue at a level not less than the level of use which occurred during calendar year 1979;

(8) certain lands in the Sequoia National Forest, California, which comprise approximately thirty-two thousand acres, as generally depicted on a map entitled "Domeland Wilderness Additions—Proposed", dated March 1983, and which are hereby incorporated in, and which shall be deemed to be a part of the Domeland Wilderness as designated by Public Law 88-577;

(9) certain land in the Stanislaus National Forest, California, which comprise approximately six thousand one hundred acres, as generally depicted on a map entitled "Emigrant Wilderness Additions—Proposed", and which are hereby incorporated in, and which shall be deemed to be a part of the Emigrant Wilderness as designated by Public Law 93-632;

(10) certain lands in the Tahoe National Forest, California, which comprise approximately twenty-five thousand acres, as generally depicted on a map entitled "Granite Chief Wilderness—Proposed", dated July 1984, and which shall be known as the Granite Chief Wilderness;

(11) certain lands in the Cleveland National Forest, California, which comprise approximately eight thousand acres, as generally depicted on a map entitled "Hauser Wilderness--Proposed", and which shall be known as the Hauser Wilderness;

(12) certain lands in and adjacent to the Lassen National Forest, California, which comprise approximately forty-one thousand eight hundred forty acres as shown on a map entitled "Ishi Wilderness—Proposed", and which shall be known as the Ishi Wilderness;

(13) certain lands in the Sierra National Forest, California, which comprise approximately eighty-one thousand acres, as generally depicted on a map entitled "John Muir Wilderness Additions, Sierra National Forest—Proposed", dated February, 1983, and which are hereby incorporated in, and which shall be deemed to be a part of the John Muir Wilderness as designated by Public Law 88-577: *Provided,* That the Secretary of Agriculture is authorized to modify the boundaries of the John Muir Wilderness Additions and the Dinkey Lakes Wil-

derness as designated by this Act in the event he determines that portions of the existing primitive road between the two wilderness areas should be relocated for environmental protection or other reasons. Any relocated wilderness boundary shall be placed no more than three hundred feet from the centerline of any new primitive roadway and shall become effective upon publication of a notice of such relocation in the Federal Register;

(14) certain lands in the Klamath National Forest, California, which comprise approximately twenty-eight thousand acres, as generally depicted on a map entitled "Marble Mountain Wilderness Additions—Proposed", dated July 1984, and which are hereby incorporated in, and shall be deemed to be a part of the Marble Mountain Wilderness as designated by Public law 88-577;

(15) certain lands in the Sierra and Inyo National Forests, California, which comprise approximately nine thousand acres, as generally depicted on a map entitled "Minarets Wilderness Additions—Proposed", and which are hereby incorporated in, and which shall be deemed to be a part of the Minarets Wilderness as designated by Public Law 88-577: *Provided,* That the existing Minarets Wilderness and additions thereto designated by this title henceforth shall be known as the Ansel Adams Wilderness;

(16) certain lands in the Eldorado, Stanislaus, and Toiyabe National Forests, California, which comprise approximately fifty-five thousand acres, as generally depicted on a map entitled "Mokelumne Wilderness Additions—Proposed", dated July 1984, and which are hereby incorporated in, and which shall be deemed to be a part of the Mokelumne Wilderness as designated by Public Law 88-577;

(17) certain lands in the Sierra and Sequoia National Forests, California, which comprise approximately forty-five thousand acres, as generally depicted on a map entitled "Monarch Wilderness—Proposed", dated July 1984, and which shall be known as the Monarch Wilderness;

(18) certain lands in the Shasta Trinity National Forest, California, which comprise approximately thirty-seven thousand acres, as generally depicted on a map entitled "Mt. Shasta Wilderness—Proposed", dated July 1984, and which shall be known as Mt. Shasta Wilderness;

(19) certain lands in the Six Rivers National Forest, California, which comprise approximately eight thousand one hundred acres, as generally depicted on a map entitled "North Fork Wilderness—Proposed", and which shall be known as the North Fork Wilderness;

(20) certain lands in the Cleveland National Forest, California, which comprise approximately thirteen thousand one hundred acres, as generally depicted on a map entitled "Pine Creek Wilderness—Proposed", and which shall be known as the Pine Creek Wilderness;

(21) certain lands in the Rogue River National Forest, California, and Oregon, which comprise approximately sixteen thousand five hundred acres, as generally depicted on a map entitled "Red Buttes Wilderness Additions—Proposed", dated July 1984, and which are hereby incorporated in, and which shall be deemed to be a part of the Red Buttes Wilderness as designated by Public Law 98-328;

(22) certain lands in the Klamath National Forest, California, which comprise approximately twelve thousand acres, as generally depicted on a map entitled "Russian Peak Wilderness-Proposed", and which shall be known as the Russian Peak Wilderness;

(23) certain lands in the San Bernardino National Forest, California, which comprise approximately twenty-one thousand five hundred acres, as generally depicted on a map entitled "San Gorgonio Wilderness Additions—Proposed", and which are hereby incorporated in, and which shall be deemed to be a part of the San Gorgonio Wilderness as designated by Public Law 88-577;

(24) certain lands in the San Bernardino National Forest, California, which comprise approximately ten thousand nine hundred acres, as generally depicted on a map entitled "San Jacinto Wilderness Additions—Proposed", and which are here incorporated in, and which shall be deemed to be a part of the San Jacinto Wilderness as designated by Public Law 88-577: *Provided, however,* That the Secretary of Agriculture may pursuant to an application filed within 10 years of the date of enactment of this title, grant a right-of-way for, and authorize construction of, a transmission line or lines within the area depicted as "potential powerline corridor" on the map entitled "San Jacinto Wilderness Additions—Proposed": *Provided further,* That if a power transmission line is constructed within such corridor, the corridor shall cease to be a part of the San

Jacinto Wilderness and the Secretary of Agriculture shall publish notice thereof in the Federal Register;

(25) certain lands in the Sierra and Inyo National Forests and the Devils Postpile National Monument, California, which comprise approximately one hundred and ten thousand acres, as generally depicted on a map entitled "San Joaquin Wilderness—Proposed", and which shall comprise a portion of the Ansel Adams Wilderness established pursuant to subparagraph (a)(15) of this section: *Provided, however,* That nothing in this title shall be construed to prejudice, alter, or affect in any way, any rights or claims of right to the diversion and use of waters from the North Fork of the San Joaquin River, or in any way to interfere with the construction, maintenance, repair, or operation of a hydroelectric project similar in scope to the Jackass-Chiquito hydroelectric power project (or the Granite Creek-Jackass alternative project) as initially proposed by the Upper San Joaquin River Water and Power Authority: *Provided, further,* That the designation of the San Joaquin Wilderness shall not preclude continued motorized access to those previously existing facilities which are directly related to permitted livestock grazing activities nor operation and maintenance of the existing cabin located in the vicinity of the Heitz Meadow Guard Station within the Ansel Adams Wilderness, in the same manner and degree in which such access and operation and maintenance of such cabin were occurring as of the date of enactment of this title;

(26) certain lands in the Cleveland National Forest, California, which comprise thirty-nine thousand five hundred and forty acres, as generally depicted on a map entitled "San Mateo Canyon Wilderness—Proposed", and which shall be known as the San Mateo Canyon Wilderness;

(27) certain lands in the Los Padres National Forest, California, which comprise approximately two thousand acres, as generally depicted on a map entitled "San Rafael Wilderness Additions—Proposed", and which are hereby incorporated in, and which shall be deemed to be a part of the San Rafael Wilderness as designated by Public Law 90-271;

(28) certain lands in the San Bernardino National Forest, California, which comprise approximately twenty thousand one hundred and sixty acres, as generally depicted on a map entitled "Santa Rosa Wilderness—Proposed", and which shall be known as the Santa Rosa Wilderness;

(29) certain lands in the Angeles and San Bernardino National Forest, California, which comprise approximately forty-three thousand six hundred acres, as generally depicted on a map entitled "Sheep Mountain Wilderness—Proposed", dated July 1984, and which shall be known as Sheep Mountain Wilderness;

(30) certain lands in the Six Rivers, Klamath, and Siskiyou National Forest, California, which comprise approximately one hundred fifty-three thousand acres, as generally depicted on a map entitled "Siskiyou Wilderness—Proposed", dated July 1984, and which shall be known as Siskiyou Wilderness;

(31) certain lands in the Mendocino National Forest, California, which comprise approximately thirty-seven thousand acres, as generally depicted on a map entitled "Siskiyou Wilderness—Proposed", dated July 1984, and which shall be known as Snow Mountain Wilderness;

(32) certain lands in the Sequoia and Inyo National Forests, California, which comprise approximately sixty-three thousand acres, as generally depicted on a map entitled "South Sierra Wilderness—Proposed", dated July 1984, and which shall be known as the South Sierra Wilderness;

(33) certain lands in the Modoc National Forest, California, which comprise approximately one thousand nine hundred and forty acres, as generally depicted on a map entitled "South Warner Wilderness Additions—Proposed", and which are hereby incorporated in, and which shall be deemed to be a part of the South Warner Wilderness as designated by Public Law 88-577;

(34) certain lands in and adjacent to the Klamath, Shasta Trinity and Six Rivers National Forests, California, which comprise approximately five hundred thousand acres, as generally depicted on a map entitled "Trinity Alps Wilderness—Proposed", dated July 1984, and which shall be known as the Trinity Alps Wilderness;

(35) certain lands in the Los Padres National Forest, California, which comprise approximately two thousand seven hundred and fifty acres, as generally depicted on a map entitled "Ventana Wilderness Additions—Proposed", and which are hereby incorporated in, and shall be deemed to be a part of the Ventana Wilderness as designated by Public Laws 91-58 and 95-237;

(36) certain lands in and adjacent to the Six Rivers and Mendocino National Forests, California, which comprise approximately forty-two thousand acres, as generally depicted on a map entitled "Yolla-Bolly Middle Eel Additions—Proposed", dated July 1984, and which are hereby incorporated in, and which shall be deemed to be a part of the Yolla-Bolly Middle Eel Wilderness as designated by Public Law 88-577.

(37) certain lands in the Plumas National Forest, California, which comprise approximately twenty-one thousand acres, as generally depicted on a map entitled "Bucks Lake Wilderness—Proposed", dated March 1983, and which shall be known as the Bucks Lake Wilderness;

(38) certain lands in and adjacent to the Los Padres National Forest, California, which comprise approximately twenty thousand acres, as generally depicted on a map entitled "Machesna Mountain Wilderness—Proposed", dated March 1983, and which shall be known as the Machesna Mountain Wilderness; and

(39) certain lands in the Sequoia National Forest, which comprise approximately ten thousand five hundred acres, as generally depicted on a map entitled "Jennie Lakes Wilderness—Proposed", dated March 1983, and which shall be known as the Jennie Lakes Wilderness.

(b) The previous classifications of the High Sierra Primitive Area, Emigrant Basin Primitive Area, and the Salmon-Trinity Alps Primitive Area are hereby abolished.

DESIGNATION OF PLANNING AREAS

SEC. 102. (a) In furtherance of the purposes of the Wilderness Act, the following lands shall be reviewed by the Secretary of Agriculture as to their suitability for preservation as wilderness. The Secretary shall submit his report and findings to the President, and the President shall submit his recommendations to the United States House of Representatives and the United States Senate no later than three years from the date of enactment of this title:

(1) certain lands in the Stanislaus and Toiyabe National Forests, California, which comprise approximately thirty thousand acres, as generally depicted on a map entitled "Carson-Iceberg Planning Area", dated July 1984, and which shall be known as the Carson-Iceberg Planning Area;

(2) certain lands in the Toiyabe National Forest, California, which comprise approximately forty-nine thousand two hundred acres as generally depicted on a map entitled "Hoover Wilderness Additions Planning Area", dated July 1984, and which shall be known as the Hoover Wilderness Additions Planning Area; and

(3) certain lands in the San Bernardino National Forest, California, which comprise approximately seventeen thousand acres, as generally depicted on a map entitled "Pyramid Peak Planning Area", dated July 1984, and which shall be known as the Pyramid Peak Planning Area.

(b) Subject to valid existing rights, the planning areas designated by this section shall for a period of four years from the date of enactment of this title, be administered by the Secretary of Agriculture so as to maintain their presently existing wilderness character and potential for inclusion in the National Wilderness Preservation System.

ADMINISTRATION OF WILDERNESS AREAS

SEC. 103. (a) Subject to valid existing rights, each wilderness area designated by this title shall be administered by the Secretary concerned in accordance with the provisions of the Wilderness Act: *Provided,* That any reference in such provisions to the effective date of the Wilderness Act shall be deemed to be a reference to the effective date of this title.

(b) Within the National Forest wilderness areas designated by this title—

(1) as provided in subsection 4(d)(4)(2) of the Wilderness Act, the grazing of livestock, where established prior to the date of enactment of this title, shall be permitted to continue subject to such reasonable regulations, policies and practices as the Secretary deems necessary, as long as such regulations, policies and practices fully conform with and implement the intent of Congress regarding grazing in such areas in such intent is expressed in the Wilderness Act and this title;

(2) as provided in subsection 4(d)(1) of the Wilderness Act, the Secretary concerned may take such measures as are necessary in the control of fire, insects, and diseases, subject to such conditions as he deems desirable; and

(3) as provided in section 4(b) of the Wilderness Act, the Secretary concerned shall administer such areas so as to preserve their wilderness character and to devote them to the public purposes of recreational, scenic, scientific, educational, and historical use.

(c) Within sixty days of the date of enactment of this title, The Secretary of Agriculture shall enter into negotiations to acquire by exchange all or part of any privately owned lands within the national forest wilderness areas designated by this title. Such exchanges shall to the maximum extent practicable be completed within three years after the date of enactment of this title. The Secretary is authorized to acquire such lands by means other than exchange, beginning three years after the date of enactment of this title. Acquisition shall be only with the concurrance of the owner. Values shall be determined without reference to any restrictions on access or use which arise out of designation as a wilderness area.

FILING OF MAPS AND DESCRIPTIONS

SEC. 104. As soon as practicable after enactment of this title, a map and a legal description on each wilderness area shal be filed with the Committee on Energy and Natural Resources of the United States Senate and the Committee on Interior and Insular Affairs of the House of Representatives, and each such map and description shall have the same force and effect as if included in this title: *Provided,* That correction of clerical and typographical errors in each such legal description and map may be made. Each such map and legal description shall be on file and available for public inspection in the Office of the Chief of the Forest Service, Department of Agriculture.

ADDITIONS TO NATIONAL PARK SYSTEM

SEC. 105. (a) The following lands are hereby added to the National Park System:

(1) certain lands in the Sequoia National Forest, California, which comprise approximately one thousand five hundred acres, as generally depicted on a map entitled "Jennie Lakes Additions, Kings Canyon National Park—Proposed", dated March 1983, and which are hereby incorporated in, and which shall be deemed to be a part of Kings Canyon National Park; and

(2) certain lands which comprise approximately one hundred eighty-five acres, as generally depicted on a map entitled "McCauley Ranch Addition, Yosemite National Park", dated December 1982 and numbered 80,021, and which are hereby incorporated in, and which shall be deemed to be a part of Yosemite National Park.

(b) Upon enactment of this title, the Secretary of Agriculture shall transfer the lands described in subsection (a) of this section, without consideration, to the administrative jurisdiction of the Secretary of the Interior for administration as part of the national park system. The boundaries of the national forests and national parks shall be adjusted accordingly. The areas added to the national park system by this section shall be administered in accordance with the provisions of law generally applicable to units of the national park system.

(c) The Secretary of the Interior shall study the lands added to the national park system by subsection (a) of this section for possible designation as national park wilderness, and shall report to the Congress his recommendations as to the suitability or nonsuitability of the designation of such lands as wilderness by not later than three years after the effective date of this title.

(d) The Secretary of Agriculture is authorized and directed to transfer to the jurisdiction of the Secretary of the Interior for administration as a part of Yosemite National Park, two hundred and fifty-three acres of the Stanislaus National Forest at Crocker Ridge, identified as all that land lying easterly of a line beginning at the existing park boundary and running three hundred feet west of and parallel to the center line of the park road designated as State Highway 120, also known as the New Big Oak Flat Road, within section 34, township 1 south, range 19 east, and within sections 4, 9, and 10, township 2 south, range 19 east, Mount Diablo base and meridian. The boundary of Yosemite National Park and the Stanislaus National Forest shall be adjusted accordingly.

(e) The Secretary of the Interior is authorized and directed to transfer to the jurisdiction of the Secretary of Agriculture one hundred and sixty acres within the boundary of the Sierra National Forest identified as the northwest quarter of section 16, township 5 south, range 22 east, Mount Diablo base meridian, subject to the right of the Secretary of the Interior to the use of the water thereon for park purposes, including the right of access to facilities necessary for the transportation of water to the park.

NATIONAL PARK WILDERNESS

SEC. 106. The following lands are hereby designated as wilderness in accordance with section 3(c) of the Wilderness act (78 Stat. 890; 16 U.S.C. 1132(c)) and shall be administered by the Secretary of the Interior in accordance with the applicable provisions of the Wilderness Act.

(1) Yosemite National Park Wilderness, comprising approximately six hundred and seventy-seven thousand six hundred acres, and potential wilderness additions comprising approximately three thousand five hundred and fifty acres, as generally depicted on a map entitled "Wilderness Plan, Yosemite National Park, California", numbered 104-20, 003-E dated July 1980, and shall be known as the Yosemite Wilderness;

(2) Sequoia and Kings Canyon National Parks Wilderness, comprising approximately seven hundred and thirty-six thousand nine hundred and eighty acres; and potential wilderness additions comprising approximately one hundred acres, as generally depicted on a map entitled "Wilderness Plan—Sequoia-Kings Canyon National Parks—California", numbered 102-20, 003-E and dated july 1980, and shall be known as the Sequoia-Kings Canyon Wilderness.

MAP AND DESCRIPTION

SEC. 107. A map and description of the boundaries of the areas designated in section 106 of this title shall be on file and available for public inspection in the Office of the Director of the National Park Service, Department of the Interior, and in the Office of the Superintendent of each area designated in Section 106. As soon as practicable after this title takes effect, maps of the wilderness areas and descriptions of their boundaries shall be filed with the Committee on Interior and Insular Affairs of the United States House of Representatives and the Committee on Energy and Natural Resources of the United States Senate, and such maps and description shall have the same force and effect as if included in this title: *Provided,* That correction of clerical and typographical errors in such maps and descriptions may be made.

CESSATION OF CERTAIN USES

SEC. 108. Any lands (in section 106 of this title) which represent potential wilderness additions upon publication in the Federal Register of a notice by the Secretary of the Interior that all uses thereon prohibited by the Wilderness Act have ceased, shall thereby be designated wilderness. Lands designated as potential wilderness additions shall be managed by the Secretary insofar as practicable as wilderness until such time as said lands are designated as wilderness.

ADMINISTRATION

SEC. 109. The areas designated by section 106 of this title as wilderness shall be administered by the Secretary of the Interior in accordance with the applicable provisions of the Wilderness Act governing areas designated by that title as wilderness, except that any reference in such provisions to the effective date of the Wilderness Act shall be deemed to be a reference to the effective date of this title, and where appropriate, any reference to the Secretary of Agriculture shall be deemed to be a reference to the Secretary of the Interior.

SEC. 110. Notwithstanding any existing or future administrative designation or recommendation, mineral prospecting, exploration, development, or mining of cobalt and associated minerals undertaken under the United States mining laws within the North Fork Smith roadless area (RARE II, 5-707, Six Rivers National Forest, California) shall be subject to only such Federal laws and regulations as are generally applicable to national forest lands designated as nonwilderness.

WILDERNESS REVIEW CONCERNS

SEC. 111. (a) the Congress finds that—

(1) the Department of Agriculture has completed the second roadless area review and evaluation program (RARE II);

(2) the Congress had made its own review and examination of national forest roadless areas in California and the environmental impacts associated with alternative allocations of such areas.

(b) On the basis of such review, the Congress hereby determines and directs that—

(1) without passing on the question of the legal and factual sufficiency of the RARE II final environmental statement (dated January 1979) with respect to national forest lands in States other than California, such statement shall be

subject to judicial review with respect to national forest system lands in the State of California;

(2) upon enactment of this title, the injunction issued by the United States District Court for the Eastern District of California in *State of California* versus *Bergland* (483 F. Supp. 465 (1980)) shall no longer be in force;

(3) with respect to the National Forest System lands in the State of California which were reviewed by the Department of Agriculture in the second roadless area review and evaluation (RARE II), and those lands referred to in subsection (d), except those lands remaining in further planning as referred to in subsection (e), or designated as planning areas upon enactment of this title, that review and evaluation shall be deemed for the purposes of the initial land management plans required for such lands by the Forest and Rangeland Renewable Resources Planning Act of 1974, as amended by the National Forest Management Act of 1976, to be an adequate consideration of the suitability of such lands for inclusion in the National Wilderness Preservation System and the Department of Agriculture shall not be required to review the wilderness option prior to the revisions of the plans but shall review the wilderness option when the plans are revised, which revisions will ordinarily occur on a ten-year cycle, or at least every fifteen years, unless prior to such time the Secretary of Agriculture finds that conditions in a unit have significantly changed;

(4) areas in the State of California reviewed in such final environmental statement or referenced in subsection (d) and not designated as wilderness or planning areas by this title or remaining in further planning as referenced in subsection (e) upon enactment of this title shall be managed for multiple use in accordance with land management plans pursuant to section 6 of the Forest and Rangeland Renewable Resources Planning Act of 1974, as amended by the National Forest Management Act of 1976: *Provided,* That such areas need not be managed for the purpose of protecting their suitability for wilderness designation prior to or during revision of the land management plans;

(5) in the event that revised land management plans in the State of California are implemented pursuant to section 6 of the Forest and Rangeland Renewable Resources Planning Act of 1974, as amended by the National Forest Management Act of 1976, and other applicable law, areas not recommended for wilderness designation need not be managed for the purpose of protecting their suitability for wilderness designation prior to or during revision of such plans, and areas recommended for wilderness designation shall be managed for the purpose of protecting their suitability for wilderness designation as may be required by the Forest and Rangeland Renewable Resources Planning Act of 1974, as amended by the National Forest Management Act of 1976, and other applicable law; and

(6) unless expressly authorized by Congress, the Department of Agriculture shall not conduct any further statewide roadless area review and evaluation of national forest system lands in the State of California for the purpose of determining their suitability for inclusion in the National Wilderness Preservation System.

(c) As used in this section, and as provided in section 6 of the Forest and Rangeland Renewable Resources Planning Act of 1974, as amended by the National Forest Management Act of 1976, the term "revision" shall not include an "amendment" to a plan.

(d) The provisions of this section shall also apply to—

(1) those national forest system roadless lands in the State of California: in the Plumas and Tahoe National Forests which were evaluated in the Mohawk Unit Plan; in the Six Rivers National Forest which were evaluated in the Blue Creek Unit Plan not designated as Wilderness by this Act and the Fox Unit Plan; in the Klammath National Forest which were evaluated in the King Unit Plan; in the Angeles National Forest which were evaluated in the San Gabriel Unit Plan; in the Modoc and Shasta-Trinity and Klammath National Forests in the Medicine Lake Unit Plan; in the Cleveland National Forest which were evaluated in the Palomar Mountain Unit Plan and Trabuco Unit Plan; in the Los Padres National Forest which were evaluated in the Big Sur Unit Plan; in the Tahoe National Forest which were evaluated in the Truckee-Little Truckee Unit Plan; and those portions of the Carson-Iceberg roadless area not designated as wilderness or planning areas or remaining in further planning as referenced in subsection (e);

(2) national forest system roadless lands in the State of California which are less than five thousand acres in size; and

(3) national forest system roadless areas or portions thereof in the State of California as identified in Executive Document No. 1504 Ninety-Sixth Congress (House Document No. 96-119) and identified by name and number at the end of this subparagraph, which are not designated as wilderness by this title:

National forest	Area name	Area I.D.
Eldorado	Pyramid	05023
Eldorado	Rubicon	05026
Eldorado	Dardanelles	05982
Eldorado	Tragedy-Elephants Back	05984
Eldorado	Raymond Peak	05985
Klamath	Orleans Mountain	B5079
Klamath	Condrey Mountain	05704
Lake Tahoe Basin M.U.	Dardanelles	05982
Lassen	Lost Creek	05089
Lassen	Polk Springs	05097
Lassen	Chips Creek	05099
Los Padres	Machesna Mountain	05110
Los Padres	Miranda Pine	05114
Los Padres	Tepusquet Peak	05116
Los Padres	Spoor Canyon	05118
Los Padres	Fox Mountain	05120
Los Padres	Cuyama	05135
Mendocino	Wilderness Contiguous	05137
Mendocino	Elk Creek	05140
Mendocino	Big Butte-Shinbone	05145
Mendocino	Black Butte	05269
Plumas	Chips Creek	05099
Plumas	Middle Fork	05167
Plumas	Bald Rock	05169
Plumas	West Yuba	05172
Rogue River	Condrey Mountain	06704
Sequoia	Agnew	05199
Sequoia	Woodpecker	05206
Sequoia	Ddomeland addition	05207
Shasta-Trinity	Chanchelulla	05220
Shasta-Trinity	East Fork	05226
Shasta-Trinity	Murphy Glade	05298
Shasta-Trinity	Fisher Gulch	A5299
Sierra	Mount Raymond	05242
Sierra	Dinkey Lakes	05244
Sierra	Rancheria	C5198
Six Rivers	Orleans Mountain	B5079
Six Rivers	North Fork Smith	05707
Stanislaus	Tuolumne River	05258
STanislaus	Raymond Peak	05985
Tahoe	West Yuba	05172
Tahoe	North Fork American	05262
Tahoe	East Yuba	05264
Toiyabe	Dardanelles	04982
Toiyabe	Tragedy-Elephants Back	04984
Toiyabe	Raymond Peak	04985
Tahoe	Granite Chief	05261

(e) Certain National Forest System roadless lands in the State of California as identified in Executive Document No. 1504 Ninety-Sixth Congress (House Document No. 96-119) and identified by name and number at the end of this subsection, shall remain as further planning areas for purposes of this title:

National forest	Area name	Area I.D.
Angeles	Sespe-Frazier	05002
Angeles	Arroyo Seco	05012
Cleveland	Sill Hill	05304

National forest	Area name	Area i.D.
Cleveland	Caliente	05017
Eldorado	Caples Creek	05027
Inyo	White Mountains	A5058
Inyo	White Mountains	B5058
Inyo	Coyote-Southeast	05033
Inyo	Table Mountain	05035
Inyo	Mazourka	A5064
Inyo	Wheeler Ridge	05040
Inyo	Horse Meadow	05049
Inyo	Tioga Lake	05050
Inyo	Hall Natural Area	05051
Inyo	Log Cabin Saddlebag	05052
Inyo	Benton Range	05056
Inyo	Blanco Mountain	05059
Inyo	Birch Creek	05060
Inyo	Black Canyon	05061
Inyo	Andrews Mountain	05063
Inyo	Paiute	B5064
Inyo	Laurel-McGee	05045
Inyo	Buttermild	05038
Lake Tahoe Basin M.U.	Freel	05271
Lassen	Wild Cattle Mountain	05093
Lassen	Butt Mountain	05100
Lassen	Trail Lake	B5095
Lassen	Heart Lake	05096
Lassen	Ishi	B5098
Los Padres	Antimony	05136
Los Padres	Bear Canyon	05104
Los Padres	Bear Mountain	05103
Los Padres	Big Rocks	051112
Los Padres	Black Butte	05102
Los Padres	Black Mountain	05108
Los Padres	Diablo	05127
Los Padres	Dry Lakes	05131
Los Padres	Horseshoe Springs	05115
Los Padres	La Brea	05117
Los Padres	La Panza	05109
Los Padres	Little Pine	05278
Los Padres	Los Machos Hills	05111
Los Padres	Machesna Mountain	05110
Los Padres	Matilija	05129
Los Padres	Quatal	05268
Los Padres	Sawmill-Badlands	05134
Los Padres	Sespe-Frazier	05002
Los Padres	Stanley Mountain	05113
San Bernardino	Sugarloaf	05186
San Bernardino	Raywood Flat	B5187
San Bernardino	Cucamonga B	B5174
San Bernardino	Cucamonga C	C5174
Sequoia	Dennison Peak	05202
Sequoia	Kings River	B5198
Sequoia	Oat Mountain	05197
Sequoia	Moses	05203
Sequoia	Scodies	05212
Sequoia	Cypress	A5213
Shasta-Trinity	Mt. Eddy	05229
Sierra	Kings River	B5198
Stanislaus	Carson-Iceberg (Pacific Valley portion)	B5986
Toiyabe	Sweetwater	04657
Toiyabe	Hoover Extension	E4662

SEVERABILITY

SEC. 112. If any provision of this title or the application thereof is held invalid, the remainder of the title and the application thereof shall not be affected thereby.

SEC. 113. For fiscal years commencing after September 30, 1985, there are authorized to be appropriated such sums as may be necessary to implement the provisions of this title.

TITLE II

DESIGNATION WILD AND SCENIC RIVER

SEC. 201. Section 3(a) of the Wild and Scenic Rivers Act (16 U.S.C. 1271-1287) as amended is further amended by inserting the following new paragraph:

"( ) Tuolumne, California.—The main river from its sources on Mount Dana and Mount Lyell in Yosemite National Park to Don Pedro Reservoir consisting of approximately 83 miles as generally depicted on the proposed boundary map entitled 'Alternative A' contained in the Draft Tuolumne Wild and Scenic River Study and Environmental Impact Statement published by the United States Department of the Interior and Department of Agriculture in May 1979; to be administered by the Secretary of the Interior and the Secretary of Agriculture. After consultation with State and local governments and the interested public and within two years from the date of enactment of this paragraph, the Secretary shall take such action as is required under subsection (b) of this section. Nothing in this Act shall preclude the licensing, development, operation, or maintenance of water resources facilities on the North Fork, Middle Fork, or South Fork of the Tuolumne River or on the Clavey River. Nothing in this section is intended or shall be construed to affect any rights, obligations, privileges, or benefits granted under any prior authority of law including chapter 4 of the Act of December 19, 1913, commonly referred to as the Raker Act (38 Stat. 242) and including any agreement or administrative ruling entered into or made effective before the enactment of this paragraph. For fiscal years commencing after September 30, 1985, there are authorized to be appropriated such sums as may be necessary to implement the provisions of this subsection.".

TITLE III

ESTABLISHMENT OF NATIONAL FOREST SCENIC AREA

SEC. 301. The area in the Mono Basin within and adjacent to the Inyo National Forest in the State of California, as generally depicted on a map entitled "Mono Basin National Forest Scenic Area" dated June 1983, and numbered 1983-3, is hereby designated as the Mono Basin National Forest Scenic Area (hereafter in this title referred to as the "Scenic Area"). Such map shall be on file and available for public inspection in the office of the Forest Supervisor, Inyo National Forest and in the office of the Chief of the Forest Service, Department of Agriculture. The Secretary of Agriculture (hereinafter in this title referred to as the "Secretary") may make minor revisions in the boundary of the Scenic Area after publication of notice to that effect in the Federal Register and submission of notice thereof to the Committee on Interior and Insular Affairs of the United States House of Representatives and the Committee on Energy and Natural Resources of the United States Senate. Such notice shall be published and submitted at least sixty days before the revision is made.

EXTENSION OF NATIONAL FOREST BOUNDARY

SEC. 302. (a) The exterior boundary of the Inyo National Forest is hereby extended to include the area within the boundary of the Scenic Area. Any lands and interests therein acquired pursuant to section 303 shall become part of the national forest system.

(b) For the purposes of section 7(a)(1) of the Land and Water Conservation Fund Act of 1965 (78 Stat. 897; 16 U.S.C. 4601-4 through 4601-11), the boundary of the Inyo National Forest, as modified by this section, shall be treated as if it were the boundary of that forest on January 1, 1964.

ACQUISITION

SEC. 303. (a) The Secretary is authorized to acquire all lands and interests therein within the boundary of the Scenic Area by donation, exchange in accordance with this title or other provisions of law, or purchase with donated or appropriated funds, except that—

(1) any lands or interests therein within the boundary of the Scenic Area which are owned by the State of California or any political subdivision thereof (including the city of Los Angeles) may be acquired only by donation or exchange; and

(2) lands or interests therein within the boundary of the Scenic Area which are not owned by the State of California or any political subdivision thereof (including the city of Los Angeles) may be acquired only with the consent of the owner thereof unless the Secretary determines, after written notice to the owner and after opportunity for comment, that the property is being developed, or proposed to be developed in a manner which is detrimental to the integrity of the Scenic Area or which is otherwise incompatible with the purposes of this title.

(b)(1) Not later than six months after the date of enactment of this title, the Secretary shall publish specific guidelines under which determinations shall be made under paragraph (2) of subsection (a). No use which existed prior to June 1, 1984, within the area included in the Scenic Area shall be treated under such guidelines as a detrimental or incompatible use within the meaning of such paragraph (2).

(2) For purposes of subsection (a)(2), any development or proposed development of private property within the boundary of the Scenic Area that is significantly different from, or a significant expansion of, development existing as of June 1, 1984, shall be considered by the Secretary as detrimental to the integrity of the Scenic Area. No reconstruction or expansion of a private or commercial building, including—

(A) reconstruction of an existing building,

(B) construction of reasonable support development such as roads, parking, water and sewage systems shall be treated as detrimental to the integrity of the Scenic Area or as an incompatible development within the meaning of paragraph (2) of subsection (a).

(c) Notwithstanding any other provision of law, the Secretary shall only be required to prepare an environmental assessment of any exchange of mineral or geothermal interest authorized by this title.

ADMINISTRATION

SEC. 304. (a)(1) Except as otherwise provided in this title the Secretary, acting through the Chief of the Forest Service, shall administer the Scenic Area as a separate unit within the boundary of the Inyo National Forest in accordance with the laws, rules, and regulations applicable to the national forest system. All Bureau of Land Management administered lands that fall within the boundaries of the Scenic Area are hereby added to the Inyo National Forest and shall be administered in accordance with the laws, rules, and regulations applicable to the national forest system.

(2) The following parcels administered by the Bureau of Land Management are hereby added to the Inyo National Forest and shall be administered in accordance with the laws, rules, and regulations applicable to the National Forest System:

Township 1 South; Range 26 East; Mount Diablo Meridian:
  E½ of SW¼ and S½ of SE¼ of Section 10; and
Township 1 North; Range 26 East; Mount Diablo Meridian:
  SW¼ of NE¼ and W½ of SE¼ of Section 9;
  SW¼ of SW¼ of Section 15;
  SW¼ of NW¼ and NW¼ of SW¼ of Section 25;
  N½ of SE¼ of Section 26;
  W½ of NW¼ and NW¼ of SW¼ of Section 27;
Township 1 North; Range 27 East; Mount Diablo Meridian:
  E½ of SE¼ of Section 34;
  SW¼ of NW¼ of Section 35; and
  W½ of Section 30 as intersected by Scenic Area Boundary.

(b)(1) In a manner consistent with the protection of the water rights of the State of California or any political subdivision thereof (including the city of Los Angeles) or of any person to the extent that such water rights have been granted or modified under the laws of the State of California, the Secretary shall manage the Scenic Area to protect its geologic, ecologic, and cultural resources. The Secretary shall provide for recreational use of the Scenic Area and shall provide recreational and interpretive facilities (including trails and campgrounds) for the use of the public which are compatible with the provisions of this title, and may assist adjacent affected local governmental agencies in the development of related interpretive programs. The Secretary shall permit the full use of the Scenic Area for scientific study and research in accordance with such rules and regulations as he may prescribe.

(2) Except as specifically provided in this subsection, no commercial timber harvesting shall be permitted in the Scenic Area, but the Secretary shall permit the utilization of wood material such as firewood, pests, poles, and Christmas trees by individuals for their domestic purposes under such regulations as he may prescribe to protect the natural and cultural resources of the Scenic Area. The Secretary may take action including the use of commercial timber harvest to the minimum extent necessary to control fire, insects and diseases that might—

(A) endanger irreplaceable features within the Scenic Area, or

(B) cause substantial damage to significant resources adjacent to the Scenic Area.

(c) The Secretary shall permit those persons holding currently valid grazing permits within the boundary of the Scenic Area to continue to exercise such permits consistent with other applicable law.

(d) The Secretary may enter into cooperative agreements with the State of California and any political subdivision thereof (including the city of Los Angeles) for purposes of protecting Scenic Area resources and administering areas owned by the State or by any such political subdivision which are within the Scenic Area.

(e) Within three years after the date of enactment of this title, the Secretary shall submit to the committees referred to in section 301, a detailed and comprehensive management plan for the Scenic Area which is consistent with the protection of water rights as provided in subsection (b)(1). The plan shall include but not be limited to—

(1) an inventory of natural (including geologic) and cultural resources;

(2) general development plans for public use facilities, including cost estimates; and

(3) measures for the preservation of the natural and cultural resources of the Scenic Area in accordances with subsections (a) and (b) of this section.

Such plan shall provide for hunting and fishing (including commercial brine shrimp operations authorized under State law) within the Scenic Area in accordance with applicable Federal and State law, except to the extent otherwise necessary for reasons of public health and safety, the protection of resources, scientific research activities, or public use and enjoyment.

(f) The Secretary is authorized to construct a visitor center in the Scenic Area for the purpose of providing information through appropriate displays, printed material, and other interpretive programs, about the natural and cultural resources of the Scenic Area.

(g)(1) Subject to valid existing rights, federally owned lands and interests therein within the Scenic Area are withdrawn from entry or appropriation under the mining laws of the United States, from the operation of the mineral leasing laws of the United States, from operation of the Geothermal Steam Act of 1970, and from disposition under the public land laws.

(2) Subject to valid existing rights, all mining claims located within the Scenic Area shall be subject to such reasonable regulations as the Secretary may prescribe to assure that mining will, to the maximum extent practicable, be consistent with protection of the scenic, scientific, cultural, and other resources of the area, and any patent which may be issued after the date of enactment of this title shall convey title only to the minerals together with the right to use the surface of lands for mining purposes subject to such reasonable regulations.

(h) Nothing in this title shall be construed to reserve any water for purposes of the Scenic Area or to affirm, deny, or otherwise affect the present (or prospective) water rights of any person or of the State of California or of any political subdivision thereof (including the city of Los Angeles), nor shall any provision of this title be construed to cause, authorize, or allow any interference with or infringement of such water rights so long as, and to the extent that, those rights remain valid and enforceable under the laws of the State of California.

(i)(1) The Act entitled "An Act authorizing and directing the Secretary of the Interior to sell to the city of Los Angeles, California, certain public lands in California; and granting rights-of-way over public lands and reserved lands to the city of Los Angeles in Mono County in the State of California", approved June 23, 1936 (49 Stat. 1892), is hereby repealed.

(2) The Secretary and the Secretary of the Interior shall grant and convey rights-of-way easements, at no cost, to the city of Los Angeles for those rights-of-way on public lands and national forest lands in Mono County, California, as described and set forth in maps and accompanying descriptions which were—

(A) filed by the city of Los Angeles with the Secretary of the Interior on October 24, 1944, and

(B) accepted as proof of construction on behalf of the United States by the Commissioner of the General Land Office on January 4, 1945.

Such easement conveyances shall provide for the right of the city to continue its present operations and to maintain, reconstruct, and replace all existing water and power facilities located within the bounds of the area described in the maps and descriptions referred to in the preceding sentence. The United States shall reserve in the conveyance easements all rights to use and permit the use by others of the lands so conveyed to the extent that such use does not unreasonably interfere with the rights granted herein to the city of Los Angeles.

(3) The grant in paragraph (2) of this subsection shall become effective upon relinquishment in writing by the city of Los Angeles of its applications dated October 20, 1944, and January 17, 1945, to purchase twenty-three thousand eight hundred and fifty acres of Federal land.

(4) The easements granted under paragraph (2) of this subsection shall provide that whenever the city of Los Angeles ceases to use the land or any part thereof subject to such easements for the purposes for which it is currently being used, as of the date of enactment of this title, all interests in such land or part thereof shall revert to the United States.

(j) Existing community recreational uses, as of the date of enactment of this title, shall be permitted at the levels and locations customarily exercised.

STUDIES

SEC. 305. The Secretary shall take such steps as may be necessary to, within one hundred and eighty days of the date of enactment of this title, enter into a contract with the National Academy of Sciences for the purpose of conducting a scientific study of the ecology of the Scenic Area. The study shall provide for consultation with knowledgeable local, State, Federal, and private persons and organizations and shall provide findings and recommendations to the Congress. Such study shall be conducted in accordance with the best scientific methodology (as set forth by the National Academy of Sciences) and shall be transmitted by the National Academy of Sciences to the Committee on Energy and Natural Resources of the United States Senate, to the Committee on Interior and Insular Affairs of the United States House of Representatives, and to the Chief of the Forest Service not later than January 1, 1987. Progress reports regarding the study shall be transmitted to the above committees on January 1, 1985, and January 1 of each year thereafter.

ADVISORY BOARD

SEC. 306. (a) There is hereby established the Scenic Area Advisory Board (hereinafter referred to as the "Board"). The Secretary shall consult with and seek the advice and recommendations of the Board with respect to—

(1) the administration of the Scenic Area with respect to policies, programs, and activities in accordance with this title;

(2) the preparation and implementation of the comprehensive management plan; and

(3) the location of the visitor center authorized by section 304(f).

(b) The Board shall be composed on nine members, who shall be selected as follows:

(1) five members appointed by the Mono County Board of Supervisors;

(2) two members appointed by the Governor of California (one of whom shall be an employee of the California Division of Parks and Recreation):

(3) one member appointed by the mayor of the city of Los Angeles; and

(4) one member appointed by the Secretary (who shall be an employee of the Forest Service).

(c) Each member of the Board shall be appointed to serve for a term of three years except that the initial appointments shall be for terms as follows:

(1) of those members appointed by the Mono County Board of Supervisors one shall be appointed to serve for a term of one year, two shall be for a term of three years;

(2) of those members appointed by the Governor of California one shall be appointed to serve for a term of one year and one shall be appointed to serve for a term of three years; and

(3) the member appointed by the mayor of the city of Los Angeles shall be appointed to serve for a term of two years; and

(4) the member appointed by the Secretary shall be appointed to serve for a term of three years.

(d) The members of the Board shall be appointed within ninety days of the date of enactment of this title. The members of the Board shall, at their first meeting, elect a chairman.

(e) Members of the Board shall serve without compensation as such, but the Secretary is authorized to pay, upon vouchers signed by the Chairman, the expenses reasonably incurred by the Board and its members in carrying out their duties under this title.

(f) Any vacancy in the Board shall be filled in the same manner in which the original appointment was made.

(g) A majority of those members appointed shall constitute a quorum for the conduct of all business of the Board.

(h) The Board shall terminate ten years from the date of its first meeting.

TRADITIONAL NATIVE AMERICAN USES

SEC. 307. In recognition of the past use of the Scenic Area by Indian people for traditional cultural and religious purposes, the Secretary shall insure nonexclusive access to Scenic Area lands by Indian people for such traditional cultural and religious purposes, including the harvest of the brine fly larvae. Such direction shall be consistent with the purpose and intent of the American Indian Religious Freedom Act of August 11, 1978 (92 Stat. 469). As a part of the plan prepared pursuant to section 304 (c) of this title, the Secretary shall, in consultation with appropriate Indian tribes, define the past cultural and religious uses of the Scenic Area by Indians.

AUTHORIZATION OF APPROPRIATIONS

SEC. 308. In addition to other amounts available for such purposes, effective October 1, 1985, there are hereby authorized to be appropriated such sums as may be necessary to carry out the purposes of this title.

COMPLIANCE WITH BUDGET ACT

SEC. 309. Any new spending authority described in subsection (c)(2) (A) or (B) of section 401 of the Congressional Budget Act of 1974 which is provided under this title shall be effective for any fiscal year only to such extent or in such amounts as are provided in appropriation Acts.

2. Amend the title so as to read:

An Act entitled the "California Wilderness Act of 1984".

PURPOSE

The purpose of H.R. 1437, as reported, is to designate components of the National Wilderness Preservation System and the National Wild and Scenic Rivers System in the State of California. The bill would also designate a National Forest Scenic Area, adjust boundaries between certain national forests and national parks, and would make those RARE II lands in California not designated as wilderness, remaining in further planning, or designated as planning areas by this Act, available for uses other than wilderness.

SUMMARY OF MAJOR PROVISIONS

H.R. 1437, as reported, contains the following major provisions:

Title I designates 39 areas of National Forest Systems lands totaling 1.8 million acres, and 2 acres of National Park System lands totaling 1.4 million acres, as components of the National Wilderness Preservation System. In addition, it designates 3 national forest planning units for further wilderness study, and adds lands to Yosemite National Park and Sequoia-Kings Canyon National Parks. The title also contains language related to the administration of the designated areas and releases certain national forest roadless areas for nonwilderness uses.

Title II would amend the Wild and Scenic River Act to designate 83 miles of the Tuolumne River as a unit of the National Wild and Scenic River System.

Title III establishes the Mono Basin National Forest Scenic Area, and makes appropriate inter-agency jurisdictional transfers from the Secretary of the Interior to the Secretary of Agriculture to facilitate proper management of the area. The title also provides direction to the Secretary of Agriculture on matters pertaining to land acquisition and management of the scenic area.

BACKGROUND

TITLE I

In June 1977, the U.S. Forest Service instituted its second roadless area review and evaluation (RARE II). This program was intended to survey the roadless and undeveloped areas within the National Forest System and to distinguish areas suitable for wilderness designation from those most appropriate for other uses. The areas recommended for wilderness would be candidates for addition to the National Wilderness Preservation System by congressional action. The remaining roadless lands were allocated to nonwilderness, for uses determined under the multiple-use planning process, or were allocated to further study.

In his proposals for RARE II lands made in April 1979, President Carter made final recommendation to Congress based on the review of 2,919 identified roadless areas encompassing 62 million acres in the National Forest System, including the National Grasslands. The Carter administration recommended that wilderness designation be given to approximately 15.4 million acres of the original 62-million-acre roadless inventory. Another 10.8 million acres of roadless lands were determined to require further planning before decisions could be made on their management. The balance of the areas—totaling about 36 million acres—were allotted for nonwilderness, multiple-used management.

In the 1979 RARE II Environmental Impact Statement, the Forest Service identified 6,022,500 acres of national forest land in the State of California as having wilderness potential. In the administration's RARE II recommendations, reported on April 15, 1979, 983,900 acres were recommended for wilderness, 2,643,500 acres for futher planning and approximately 2,395,100 acres were to be allocated to uses other than wilderness.

Soon after the completion of RARE II, the State of California brought suit against the Secretary of Agriculture challenging the Statement insofar as its consideration of wilderness in more than 40 areas in the State of California was concerned. In January, 1980, Judge Lawrence Karlton of the United States District Court for the Eastern District of California, in the *State of California* v. *Bergland,* 483 F. Supp. 465 (1980), held that the RARE II Final Environmental Statement had insufficiently considered the wilderness alternative for specific areas challenged. Judge Karlton enjoined any development which would "change the wilderness character" of these areas until subsequent consideration of the wilderness values in accordance with the National Environmental Policy Act is completed by the Department of Agriculture.

The Ninth Circuit Court of Appeals issued a decision October 22, 1982, on the RARE II California suit, *California* v. *Block*. The decision generally upheld the district court's view that the Forest Service RARE II Final Environmental Impact Statement (EIS) was inadequate as the challenged areas.

As a result of this lawsuit, there is considerable uncertainty concerning the Forest Service's ability to plan for and manage the national forests—especially those lands inventoried and studied in the RARE II process.

H.R. 1437 would help resolve this uncertainty by designating approximately 1,792,300 acreas of National Forest System lands as components of the National Wilderness Preservation System; leave 110 areas, or portions thereof, in further planning status; and make the balance of the RARE II areas in California available for nonwilderness uses.

On July 26, 1983 the National Park Service (NPS) submitted a wilderness study report to Congress in response to the portion of the 1964 Wilderness Act which mandated wilderness study of roadless areas within the National Park System. The Park Service recommended wilderness classification for 678,500 acreas of Yosemite National Park and 825,853 acres of Sequoia-Kings Canyon National Park. H.R. 1437 would add approximately 1,418,230 acres of National Park System lands to the National Wilderness Preservation System.

Enactment of H.R. 1437, as reported, would bring the total amount of national forest wilderness in California to 3,933,987 acres, and national park wilderness in California would total 1,993,684 acres.

TITLE II

The 158-mile-long Tuolumne River orginates at the top of Mount Lyell Glacier in Yosemite National Park and plunges down the western Sierra Nevada before it joins the San Joaquin River near Modesto, California. The river is only a 3- to 4-hour drive from the San Francisco Bay Area and Sacramento where 5 million Californians reside.

In 1975, Congress directed that a 92-mile stretch of the Tuolumne River be studied for inclusion in the Federal Wild and Scenic River System. After an extensive study, 83 miles of the Tuolumne were found to possess outstanding natural, scenic, recreational, geologic, fish and wildlife, historical and cultural values. The United States Departments of the Interior and Agriculture proposed that these 83 miles of the Tuolumne be placed in the National Wild and Scenic Rivers System.

TITLE III

The Mono Basin, located at the base of the eastern slope of the Sierra Nevada Mountains, is an outstanding example of the harsh beauty of the arid great basin regions of the western United States. The area contained within the proposed National Forest Scenic

Area includes a segment of the eastern escarpment of the Sierra Nevada Mountains, Mono Lake (a saline water body with no outlet), extensive deposits of tufa, in unusual tower formations, several volcanic craters, and concentrations of nesting and migratory waterfowl. The snowmelt from the Sierra Nevada is a source of fresh water streams that run down into the Mono Basin and into Mono Lake. Except for evaporation, there is no natural way for the water that flows into the lake to leave. For over 40 years, some of these fresh water streams have provided a substantial high-quality, municipal water supply source to the City of Los Angeles. Today, this source accounts for one-sixth of the city's total water supply.

The area has been widely recognized for its unusual ecological and geological values that are of great scientific interest.

H.R. 1437, as reported, would recognize these values by establishing a national forest scenic area of approximately 66,000 acres.

LEGISLATIVE HISTORY

H.R. 1437 was passed by the House of Representatives on April 12, 1983. A hearing on H.R. 1437 was held in Washington, D.C., before the Senate Subcommittee on Public Lands and Reserved Water, on July 28, 1983. H.R. 1341, an Act to designate the Mono Basin National Forest Scenic Area, passed the House on July 18, 1983. The Subcommittee on Public Lands and Reserved Water held hearings on H.R. 1341 on May 17, 1984.

The Administration supports designation of the scenic area, but opposes H.R. 1437 as passed by the House. They have not taken a position on designation of the Tuolumne River.

The Committee amended H.R. 1437 to include the provisions of H.R. 1341 (designation of the scenic area).

At a business meeting on August 1, 1984, the Senate Committee on Energy and Natural Resources ordered H.R. 1437, as amended, favorably reported.

COMMITTEE RECOMMENDATIONS AND TABULATION OF VOTES

The Senate Committee on Energy and Natural Resources, in open business session on August 1, 1984, by unanimous vote of a quorum present recommends that the Senate pass H.R. 1437, if amended, as described herein.

COMMITTEE AMENDMENTS

The Committee adopted an amendment to H.R. 1437 in the nature of a substitute text containing three titles and 20 sections, and an amendment to the title. As reported, H.R. 1437 differs from the House passed version as follows:

TITLE I—WILDERNESS DESIGNATION

H.R. 1437, as passed by the House, proposed to designate 58 areas of National Forest System Lands, totaling approximately 2.3 million acres, as wilderness. H.R. 1437, as reported by the Committee, proposes to designate 39 areas totaling approximately 1.8 million acres. The following proposed wilderness areas have been excluded:

Boundary Peak Wilderness proposal

Caliente Wilderness proposal
Caples Creek Wilderness proposal
Cinder Buttes Wilderness proposal
Deep Wells Wilderness proposal
Excelsior Wilderness proposal
Fish Canyon Wilderness proposal
Granite Peak Wilderness proposal
Hoover Wilderness proposed additions
John Muir Wilderness proposed additions on Inyo National Forest
Lassen Volcanic Wilderness proposed additions
Pattison Wilderness proposal
Pyramid Peak Wilderness proposal
Scodies Wilderness proposal
Sill Hill Wilderness proposal
Thousand Lakes Wilderness proposal
Timbered Crater Wilderness proposal
Echo-Carlson Wilderness proposal
Mill Creek Wilderness proposal

In addition, 12 wilderness proposals in H.R. 1437, as reported by the Committee, differ in acreage from the House passed version. The acreage was reduced, as shown below:

Proposed wilderness	Reduced acreage	
	From	To
Carson-Iceberg	190,000	130,000
Dick Smith	67,000	64,700
Granite Chief	35,000	25,000
Marble Mountain additions	38,000	28,000
Mokelumne additions	60,000	55,000
Monarch	55,000	45,000
Red Buttes additions	31,000	16,500
Sheep Mountain	44,600	43,600
Siskiyou	141,000	153,000
South Sierra	77,000	63,000
Trinity Alps	530,000	500,000
Yolla-Bolly-Middle Eel additions	46,000	42,000

SECTION 101—DESIGNATION OF NATIONAL FOREST WILDERNESS

The committee recommends 23 new national forest wilderness areas and additions to 16 existing national forest wilderness areas, totaling approximately 1,792,830 acres, be added to the National Wilderness Preservation System, as follows:

New wilderness areas:	*Acres*
Carson-Iceberg Wilderness	160,000
Castle Crags Wilderness	7,300
Chanchelulla Wilderness	8,200
Dick Smith Wilderness	64,700
Dinkey Lakes Wilderness	30,000
Granite Chief Wilderness	25,000
Hauser Wilderness	8,000
Ishi Wilderness	41,840
Monarch Wilderness	45,000
Mt. Shasta Wilderness	37,000
North Fork Wilderness	8,100

Pine Creek Wilderness	13,000
Russian Wilderness	12,000
San Mateo Wilderness	39,540
Santa Rosa Wilderness	20,160
Sheep Mountain Wilderness	43,600
Siskiyou Wilderness	153,000
Snow Mountain Wilderness	37,000
South Sierra Wilderness	63,000
Trinity Alps Wilderness	500,000
Bucks Lake Wilderness	21,000
Machesna Wilderness	20,000
Jennie Lakes Wilderness	10,500

Additions to existing wilderness:

Caribou Wilderness additions	1,800
Cucamonga Wilderness additions	4,400
Domeland Wilderness additions	32,000
Emigrant Wilderness additions	6,100
John Muir Wilderness additions	81,000
Marble Mtn. Wilderness additions	28,000
Minarets Wilderness additions (to be named the Ansel Adams Wilderness)	9,000
Mokelumne Wilderness additions	55,000
Red Buttes Wilderness additions	16,500
San Gorgonio Wilderness additions	21,500
San Jacinto Wilderness additions	10,900
San Joaquin Wilderness additions (to be named the Ansel Adams Wilderness)	110,000
San Rafael Wilderness additions	2,000
South Warner Wilderness additions	1,940
Ventana Wilderness additions	2,750
Yolla-Bolly/Middle Eel Wilderness additions	42,000
Total national forest designated	1,792,830

Area descriptions:

(1) Caribou Wilderness Additions.—The 1,800 acres of proposed wilderness additions will extend the existing wilderness boundary to conform with more recognizable features on the ground. The additions include Cowboy Lake and several other "pot hole" lakes. The southern addition also borders a portion of the existing wilderness in Lassen National Park.

(2) Carson-Iceberg Wilderness.—The proposed 160,000-acre wilderness is bisected by the Pacific Crest Trail, and is very popular for horse trips and hiking due to its 200 mile network of trails. Scenery is spectacular throughout the area and is enhanced by 16 alpine lakes, several impressive volcanic formations (including the Dardenellas), Carson Falls, and more than one dozen prominent peaks over 12,000 feet in elevation. Soda springs of carbonated and highly mineralized water also occur. The area's size and vegetative diversity provides key habitat for many species of wildlife including mule deer, bear, mountain lion and wolverine. Fisheries include 120 miles of trout stream. Silver King Creek, a tributary of the Carson River, is home for the threatened Paiute Trout, which does not naturally occur elsewhere. The 30,000 acres dropped from the House-passed version are being included in the Carson-Iceberg planning area designated in section 102 of this title.

H.R. 1437 augments the 1979 RARE II wilderness proposal by dividing the southern portion of RARE II "further planning" area B5986 and adding some 6,000 acres thereof in the vicinity of Burgson Lake, Wheat Meadow, Clover Meadow and Twin Meadows to the wilderness. This is a beautiful area of lush meadows and scenic lakes which will add diversity to the wilderness, and compensate for the loss of nearby Gabbott Meadows, which may be flooded by enlargement of Spicer Meadow Reservoir. However, the wilderness designation is in no way intended to interfere with the continued "further planning" status for the Pacific Creek/Grouse Creek portion of RARE II unit B5986. This portion of the unit may have potential for ski development and the Forest service, ski groups, conservation groups and the Committee are in agreement that "further planning" is proper designation.

(3) Castle Crags Wilderness.—The 7,300-acre recommendation is identical to that proposed by the President, and contains numerous streams and six alpine lakes. The proposed wilderness is in and adjacent to the Castle Crags State Park (a proposed State wilderness) and contains some of the spectacular granite spires which are so well known to travelers along the Interstate Highway 5. The area affords marvelous views of nearby Mt. Shasta and is traversed by the Pacific Crest Trail for several miles. Its wilderness attributes are outstanding for an area of such small size.

(4) Chanchelulla Wilderness.—The entire 11,900 acre roadless area was recommended for "further planning" in the 1979 RARE II proposal but is being split between wilderness and nonwilderness in H.R. 1437. The 8,200 acre proposed wilderness follows the boundaries recommended by Trinity County, and covers the eastern portion of the roadless area, including 6,399 foot Chanchellula Peak. The core of the proposed wilderness consists of a highly scenic ridge system which is largely above timberline and the surrounding lower elevation lands important for wildlife. These lands provide key summer habitat for wilderness species in an area that is otherwise generally roaded and developed.

The 3,700 acres excluded from the RARE II area is in the vicinity of Shell Gulch and Sulphur Gulch. These lands contain two-thirds of the commercially operable timber within the roadless area. The 3,700 acre area will thus be available for appropriate timber harvest or other nonwilderness multiple-uses in accordance with this Act and the statutes and regulations generally applicable to national forest lands which are not designated as wilderness.

(5) Cucamonga Wilderness additions.—The H.R. 1437 proposal is identical to the 1979 RARE II proposal, and would add 4,400 acres of very rugged terrain containing important Nelson bighorn sheep habitat, to the existing Cucamonga Wilderness in the Angeles National Forest. The area is popular for primitive recreation because of its close proximity to Los Angeles.

(6) Dick Smith Wilderness.—This 64,700-acre wilderness proposal lies contiguous to the existing San Rafael Wilderness in the Los Padres National Forest (they are separated only by a fire road), and contains a wide variety of wildlife species, including cougar and the endangered California condor. Vegetation is mostly chaparal and California oakwoods, but portions of the area contain significant stands of mixed conifer forest which will add to the wilderness' overall diversity. Wilderness designation will also protect a large portion of the Santa Ynez River watershed, one of the major sources of water for the Santa Barbara South Coast region.

Due to its proximity to Santa Barbara, the area receives heavy primitive recreational use and is also valuable for natural studies and scientific research. The area embraces numerous sites of archeological significance, including several undisturbed Chumash cave paintings.

The area is named to honor the recently deceased journalist and naturalist, Dick Smith. Mr. Smith's outstanding devotion to the natural values of the area, including his key role in the designation of the existing San Rafael Wilderness, were the primary factors motivating the name selection.

(7) Dinkey Lakes Wilderness.—This approximately 30,000 acre wilderness is located in the Sierra National Forest and contains over 20 lakes and numerous meadows which are popular for fishing, camping and other primitive recreation. Its addition to the wilderness system will also protect key wildlife habitat and provide a contrast to the higher elevation lands in the existing John Muir Wilderness.

The boundaries of the proposed wilderness excludes the commercial timber lands on the fringe of the areas as well as areas of major motorized recreation use (such as the jeep trail to Coyote Lake and the Swamp Lake trail). The 1979 RARE II proposal recommended "further planning" status of these excluded lands should be terminated, so the lands will be available for appropriate timber harvest or other nonwilderness multiple uses in accordance with the laws and regulations generally applicable to national forest lands not designated as wilderness.

(8) Domeland Wilderness additions.—The approximately 32,000 acres of additions to the Domeland Wilderness consist of the 1,100 acre "Domeland II" RARE II roadless area (RARE II No. 5-305) and the eastern two-thirds of the "Woodpecker" roadless area (RARE II No. 5-206). The Domeland II additions round out the existing wilderness boundary to conform with the national forest boundary and also give further protection to the South Fork of the Kern River. The "Woodpecker" additions consist mostly of noncommercial forest land and meadows which have a high value for wilderness recreation.

As with the South Sierra wilderness proposal, the additions comprise a biologically significant area where several ecosystems join to form unique plant and animal communities. This biological laboratory is made even more unique by virtue of its being bisected by the South Fork of the Kern River, the southernmost golden trout habitat in the State. Together with the South Sierra wilderness, wilderness designation will maximize protection for this critical watershed and complement the efforts of private conservation groups and others to protect virtually the entire South Fork of the Kern from any adverse development.

The Committee included a portion of the Trout Creek Canyon in the wilderness. This rugged area contains golden trout habitat and excellent scenery.

The boundaries of the Domeland additions exclude from wilderness the Siretta Peak/Little Trout Creek portion of the "Woodpecker" roadless area and the "Domeland Addition" roadless area (RARE II No. 5-207). These lands lie on the extreme west side of the Domeland Wilderness and are relatively distant from the South

Fork of the Kern River. Although they do possess high wilderness values, they also contain significant volumes of commercial timber. As such, "further planning" status of these areas should be terminated with the lands involved thus becoming available for appropriate timber harvest of other nonwilderness multiple uses in accordance with the status and regulations generally applicable to national forest lands not designated as wilderness.

(9) Emigrant Wilderness additions.—This 6,100-acre, four-unit addition to the existing Emigrant Wilderness comprises the Cherry Creek Wilderness study area, which was designated for formal wilderness study in Public Law 93-632. The Cherry Creek unit is contiguous to Yosemite National Park and was formerly part of the Emigrant Basin Primitive Area. The Wilderness study of this highly scenic area has been completed, and the entire study area has been recommended for wilderness by the President.

The area contains several beautiful mountain lakes, good fishing, and is experiencing increasing primitive recreation use. Its addition to wilderness will confirm the existing administrative closure to motorized vehicles and essentially legislate the Forest Service's current Scenic Area managment policies.

(10) Granite Chief.—Located in the Tahoe National Forest some 5 miles west of Lake Tahoe, the proposed 25,000-acre wilderness receives heavy primitive recreation use which is facilitated by the high altitude access provided by nearby ski facilities. The Tahoe National Forest currently has no designated wilderness. The Pacific Crest Trail traverses the eastern boundary of the proposal for over 10 miles, and affords spectacular views of the wildlands in the proposed wilderness to the west as well as the deep blue waters of Lake Tahoe to the east. The area also comprises the headwaters of the North and Middle Forks of the American River. The permanent protection afforded by wilderness designation will assist in ongoing efforts to preserve the natural values of the Lake Tahoe region and will also help meet the strong public demand for wilderness in the region (the nearby Desolation Wilderness receives the heaviest peak season use of any wilderness area in the Nation.

(11) Hauser Wilderness.—The 8,000-acre proposed wilderness is located in the Cleveland National Forest directly south of and adjacent to, the proposed Pine Creek Wilderness. Both areas were recommended for wilderness by San Diego County and lie some 20 miles east of San Diego. When combined, the two areas will provide excellent opportunities for solitude and afford a high quality primitive recreation experience in close proximity to the rapidly growing metropolitan area.

(12) Ishi Wilderness.—The 41,840-acre proposed Ishi Wilderness lies in the transitional zone between the warm Sacramento Valley and the Sierra Mountains, and is snow free for most of the year. As a result, it is an area with unusual diversity and one that is unique in northern central California by virtue of its year round accessibility to those seeking primitive recreation experience. Further, it represents the last remaining opportunity to designate a major wilderness area in a Sierra foothill ecosystem.

The area is characterized by a network of steep ravines, rimrock canyon walls, and sharp ridges. Lava formations create caves, pillars and rushing rapids in the river bottoms. On several small flat plateaus there are "poineries", stands of virgin ponderosa pine which have evolved undisturbed for centuries. These are valuable biological laboratories. Wildlife species found in the area include mountain lion, black-tail deer, eagles, peregrine falcon and bobcat. Wild horses also frequent the area. The proposed wilderness incorporates portions of, or is adjacent to, the Tehama State Game Refuge. Also within the proposed wilderness, are Mill and Deer Creeks. These streams have very significant runs of king salmon (as much as 70 percent of the Sacramento River drainage Spring Salmon run in dry years).

(13) John Muir Wilderness Additions-Sierra National Forest.—Lying immediately west of the existing John Muir Wilderness, the 81,000 acres of wilderness additions consist of the approximate 20,000-acre Woodchuck roadless area, which was recommended for wilderness in the 1979 RARE II proposal plus portions of the Rancheria (C5-198) and Dinkey Lakes (5-244) "further planning" areas. In addition to containing over two dozen lakes, many streams with excellent fishing, and some of the finest low elevation scenery in the Sierra, the proposed wilderness additions provide excellent wildlife habitat which complements the higher elevation lands of the John Muir Wilderness. Elk, deer, cougar, bear, possibly wolverine, and many other species inhabit the area. This combination of natural values makes the area very popular for primitive recreation, and the wilderness boundaries formulated by the Committee will facilitate easy access to the wilderness.

(14) Marble Mountain Additions.—The 28,000 acres of additions to the existing Marble Mountain Wilderness consist of RARE II units A5-074 (Portuguese), A5-077 (Snoozer) and A5-070 (Kelsey) which were recommended for wilderness by the Forest Service in RARE II as well as portions of the 5-078 (Shackleford). By and large, the proposed additions consist of lower elevation lands which have important anadromous fishery and wildlife values. Many miles of scenic access trails to the existing wilderness pass through the additions. The Wooley Creek drainage on the southwestern edge of the wilderness is an especially important addition by virtue of its summer steelhead run, one of only a few such runs remaining in northern California. Wooley Creek has its headwaters in the existing wilderness and flows through the proposed additions for roughly 8 miles before reaching its confluence with the Salmon River. Fish counts conducted annually by the California Department of Fish and Game each summer since 1975 indicate that Wooley Creek is the most important spring run summer steelhead drainage remaining in the Klamath River System, with steelhead and king salmon seeking summer refuge in the cool covered pools which run almost the entire length of the creek. The fact that Wooley Creek is unbisected by roads from its origin to its confluence gives it added importance as an area for scientific research. Together with Dillon Creek in the proposed Siskiyou Wilderness, Wooley Creek represents the last major drainage in the Klamath River System which is totally unbisected by roads and which has relatively little roading in its entire watershed.

(15) Ansel Adams Wilderness.—This new wilderness of 229,336 acres is made up of the existing Minarets Wilderness (110,336 acres), the proposed 9,000-acre Minarets Wilderness Addition and

the proposed 110,000-acre San Joaquin Wilderness, as identified in H.R. 1437, under title I as areas 15 and 25, respectively.

The wilderness will adjoin the existing John Muir Wilderness to form a continuous belt of legislatively protected and undeveloped land stretching from Tioga Pass in Yosemite National Park to Kennedy Meadows, some 150 miles to the south. The entire distance is covered by the Pacific Crest Trail and represents the longest stretch of trail unbroken by roads in the lower 48 States.

The new wilderness area contains spectacular country highlighted by several granitic domes (including the prominent 6,881 foot Ballon Dome), deep river gorges, waterfalls, and miles of polished granite walls. There are also numerous lakes and miles of streams which provide outstanding fishing. The endangered peregrine falcon and Paiute cutthroat trout are found in the area and it has been deemed "essential" habitat for the wolverine and golden eagle by the Forest Service.

The two central features of the wilderness area are the long gorges of the Middle and South Forks of the San Joaquin River, which converge in the vicinity of Ballone Dome to form the main San Joaquin River. These gorges are two of the deepest in the State and offer outstanding opportunities for unique visual and recreational experiences.

(16) Mokelumne Wilderness addition.—The 55,000 acres of proposed additions to the Mokelumne Wilderness contain 16 named lakes and numerous other smaller lakes and ponds. Primitive recreation use is among the highest of any RARE II roadless area in California and can probably be attributed to the area's proximity to the Tahoe Basin, easy accessibility, and outstanding scenic values. The area has some 75 miles of hiking trails, including a stretch of the Pacific Crest Trail, and is one of the most popular cross-country skiing areas in the Sierra Nevada. The expanded wilderness will incorporate a great variety of ecosystems running from the lands around the 10,011 foot Raymond Peak to the lush lower elevation lands north of Slat Springs Reservoir (a difference in elevation of some 6,000 feet). It also covers major segments of the watersheds which provide the principal water supply for over one million residents of the East Bay Municipal Utility District.

(17) Monarch Wilderness.—The bulk of this 45,000-acre proposed wilderness consists of the Forest Service's 1974 recommendation for a 30,689 acre Monarch Wilderness, including the High Sierra Primitive Area. This rugged area is highly scenic and is composed of steep slopes with fragile soils. Spectacular multi-colored geological formations (such as Garnet Dike) contribute to the area's overall beauty, whereas wide variations in elevation and vegetation provide excellent opportunities to experience numerous natural phenomena within a relatively small distance.

(18) Mount Shasta Wilderness.—The 37,000-acre wilderness proposal will protect the upper reaches of the most prominent, and arguably the most spectacular, geological feature in northern California. The 14,162-foot Mount Shasta rises over 10,000 feet above its base, is by far the highest peak in northern California, and can be seen for distances of over 100 miles from numerous vantage points. Unique geological features include five glaciers, one hot spring, the crater of Shastina with Clarence King Lake, numerous buttes, lava

flows and waterfalls. Because of its prominence and natural beauty, the mountain also has spiritual and religious values for many native Americans and others. Eight thousand acres of the proposal is classified as a National Natural Landmark by the Secretary of the Interior. Primitive recreation use is high, and includes mountaineering, skiing and hiking.

(19) North Fork Wilderness.—Recommended for wilderness by Trinity County, the proposed wilderness centers around the canyon of the North Fork of the Eel River and is generally underlain by highly unstable, erosion prone soils. (The Eel and nearby Mad Rivers are said to have the largest sediment discharges in the world.) The North Fork Canyon itself is precipitous and has numerous scenic rocky bluffs which rise nearly 500 feet from the canyon bottom. Above the steep slopes of the inner canyon, the landscape becomes more gentle and consists of interspersed grasslands and forest lands which provide excellent winter wildlife habitat for migratory wildlife species which in summer inhabit the higher elevation lands in the nearby Yolla-Bolly-Middle Eel Wilderness. Due to its relatively low elevation (1,700–3,600 feet), the proposed wilderness is snow-free for much of the year and therefore also affords good opportunities for primitive recreation.

(20) Pine Creek Wilderness.—Recommended for wilderness by the President, the 13,000-acre proposal lies some 30 miles east of San Diego in the Cleveland National Forest. According to the Forest Service wilderness rating system, the area has by far the highest wilderness values of roadless area on the Cleveland National Forest. The area's close proximity to San Diego makes it especially valuable for primitive recreation, scientific research and educational purposes. A 3-foot high Chinese rock wall runs for several miles in the north end of the proposal and is interesting from an historic standpoint. Wildlife found in the area include mule deer, mountain lion, coyote, gray fox, and numerous raptors.

(21) Red Buttes Wilderness Additions.—This 16,500-acre wilderness addition lies along the California border. Approximately 500 acres of the proposed addition is within the State of Oregon and provides a more identifiable boundary for that portion of the Red Buttes Wilderness in Oregon, established in the recently enacted Oregon Wilderness Act of 1984 (P.L. 98–328). The proposed wilderness straddles the Siskiyou Mountains and has numerous mountain lakes, precipitous peaks, and forested valleys. Due to its relative proximity to Medford and Ashland, Oregon, it is becoming increasingly popular for primitive recreation. Several drainages also support anadromous fish runs.

(22) Russian Peak Wilderness.—The 12,000-acre proposed Russian Peak Wilderness is located in the Klamath National Forest and is sometimes known as the Salmon-Scott divide. Biological studies (Sawyer and Thorburgh, 1969) of the Horse Range Creek and Sugar Creek drainages in the proposed wilderness indicate that these drainages may contain one of the richest and most diverse forests in the world. In addition to the 17 species of conifers that can be found in the two drainages, nearly 450 additional plant species have been identified. Compatible recreational values are also paramount. Although the proposed wilderness is but 12,000 acres in size, it contains 22 named lakes and several bodies of water. The

area is characterized by a high granitic ridge dotted by several prominent peaks and the scenic cirques and U-shaped valleys left by former glaciation. The views of Mt. Shasta, some 20 miles away are especially rewarding. A portion of the Pacific Crest Trail will traverse the area for several miles when completed.

(23) San Gorgonio additions.—This three part, 21,500-acre addition to the existing wilderness was part of the Rare II wilderness proposal. The 700-acre Foresee Creek addition is a steep north-facing slope with an excellent view of the Santa Ana River Canyon and Sugarloaf Mountain, and good wildlife habitat. Another 700 acre addition consists of rugged and spectacular terrain to the north of the South Fork of Mission Creek. However, the main addition of some 19,000 acres is the so-called Raywood Flat area. This is the primary watershed for the Whitewater River and the rare San Gorgonio trout. The three main forks of the river have carved out steep rugged canyons and benches with numerous waterfalls, oasis and even swamps. The good availability of water makes for excellent recreation potential and superb wildlife habitat, especially for bighorn sheep.

(24) San Jacinto additions.—The proposed additions to the existing San Jacinto Wilderness are in several parts, generally round out the boundaries of the existing wilderness, and include some of the most rugged and inaccessible terrain in southern California. The Pacific Crest Trail crosses the additions in several places, and Antsell Rock is a favorable spot for rock climbers. The 10,000 acres of additions are identical to those recommended as a result of the 1979 Rare II process.

(25) See the description for area 15.

(26) San Mateo Canyon Wilderness.—As its name implies, San Mateo Canyon is the main natural feature of this low elevation area which lies just 10 miles from the Pacific Ocean and represents a Mediterranean sub-tropical ecosystem with coastal influence. Due to its low elevation, the area presents an outstanding opportunity for nearly year-round primitive recreation use by the same 10 million inhabitants in the Los Angeles-San Diego metropolitan area. Non-motorized recreational use is by far the highest of any RARE II roadless area in the Cleveland National Forest.

Most of the proposed wilderness is comprised of the steep canyon country formed by San Mateo Creek and its tributaries. This creek is very large in winter, and contains the beautiful Tenaja Falls, several popular swimming holes, and scenic canyon slopes. Several natural springs can be found along side canyons. Diversity is added to the proposal by the inclusion of scenic meadows on the higher elevations such as Oak Flats.

The proposed wilderness completely surrounds several hundred acres of private lands within the boundary of the wilderness, but the existing access road has been excluded.

(27) San Rafael additions.—This 2,500-acre addition extends the existing wilderness boundary to more definable features on the ground and contains some fine stands of the uncommon Sargent cypress.

(28) Santa Rosa Wilderness.—The 20,160-acre proposed wilderness is separated from the existing 87,000 acre Santa Rosa Mountains State Wilderness by BLM roadless lands which are under

study for wilderness as part of the California Desert Conservation Area. The entire area consists of critical habitat for the Santa Rosa herd of rare peninsular bighorn sheep, which number around 500 animals. The California Department of Game and Fish has already acquired some 24,500 acres of key bighorn habitat on checkerboard holdings in the BLM roadless area, and The Nature Conservancy has an option to purchase approximately another 4,500 acres within the proposed wilderness. Wilderness designation has been endorsed by The Nature Conservancy and the California Department of Game and Fish as desirable for the long term protection of the area.

In addition to bighorn sheep, the area has several native American religious sites and contains many archeological treasures. Horsethief Creek, the primary drainage in the proposed wilderness, is a perennial stream with many deep pools and scenic waterfalls.

(29) Sheep Mountain Wilderness.—Lying within some 25 air miles and a 1 hour drive of downtown Los Angeles, the proposed 43,600-acre wilderness covers the bulk of the 52,000-acre Sheep Mountain Wilderness Study Area (as designated by Public Law 94-557) and comprises almost the entire remaining range of the East Fork herd of Nelson bighorn sheep, which numbers approximately 150-200 animals. The size of the bighorn herd and the fact that summer, winter, and lambing ranges are in close proximity (other sheep herds travel relatively long distances between the seasonal ranges) make the area especially valuable for scientific research and educational purposes. In addition, the streams in the area are in a near natural condition (a rarity in southern California) and provide a high quality fishing experience.

The ruggedness of the terrain which makes for superlative bighorn sheep habitat, also presents outstanding opportunities for primitive recreation, and conversely, makes the area unsuitable for off road vehicle activities. Some 60 miles of hiking trails span the area, including a heavily used route to the top of Mt. Baldy, the highest peak in the San Gabriel mountains. Other heavily used areas are the East Fork of the San Gabriel River and Cattle/Coldwater Canyon area which is within one-half hour's drive of the populous east San Gabriel valley.

(30) Siskiyou Wilderness.—Spared from the effects of volcanic activity, pleistocene glaciation and significant changes in climate for tens of thousands of years, the western Siskiyou Mountains, of which the 153,000-acre proposed wilderness comprises the core, are one of the most vegetatively diverse areas in the world, representing the least modified derivatives of the ancient Tertiary forests. Some 20 different types of conifers have been identified, as well as the world's largest concentration of lily species, making the area a very significant "gene pool" for scientific research and species preservation. Highly unstable soils predominate, and heavy rainfall contributes to slope instability. In addition to the exceptional vegetative diversity, the area is one of the few places in the State where native wildlife occurs in an undisturbed condition (it is the only area in the State being considered for possible reintroduction of the grizzly bear), and where anadromous fish runs are unaffected by impoundments or other adverse effects of development.

In addition to the 101,000-acre RARE II proposal for the core of the Siskiyous, the bill adds approximately 52,000 acres in the Blue Creek, Eightmile Creek and Dillion Creek watersheds. These additions have critically important anadromous fish values and are largely underlain by extremely erosive soils. A further description follows:

The upper portion of Dillon Creek added to wilderness comprises approximately 7,000 acres. It comprises extremely rugged terrain with large areas of unstable soils and landslide hazards. According to the Forest Service many rare plants and endangered wildlife species inhabit the area. Approximately 23,000 acres in the lower portion of the Dillon Creek watershed was excluded due to its commerical timber values.

Approximately 19,000 acres of the Eightmile Creek area are included in the wilderness. The Eightmile area comprises a complete watershed whose virgin forest supports the wide variety of botanical and wildlife species. Eightmile Creek is a major tributary of the pristine South Fork of the Smith River and has anadromous fish runs. Some four miles of the South Fork of the Smith River also lie within the proposed wilderness, as does a stretch of the popular Upper Smith River Trail. Chimney Rock, an important Native American religious site, lies in the southeastern corner of the area.

The approximately 26,000-acre Blue Creek area included in the proposed wilderness exhibits many of the characteristics of the adjacent Eightmile Creek area. In addition to its fishery and wildlife values, the area contains several sites, particularly Doctor Rock and Peak 8, of critical importance to native Americans for cultural and religious purposes. Several popular trails, including the religiously significant Golden Stairs Trail pass through the proposed wilderness and its overall low elevation makes it highly suitable for year-round primitive recreation.

Like the Eightmile Creek area, Blue Creek is heavily forested. Approximately 3,000 acres in the western portion of Eightmile and 12,000 acres in the northern and southeastern area of Blue Creek were excluded from wilderness due to commercial timber values. Further, the boundary for the wilderness keeps open a corridor between the Eightmile and Blue Creek area to enable the completion of the Gasquet-Orleans Road project if the responsible authorities so decide.

(31) Snow Mountain Wilderness.—The proposed 37,000-acre wilderness is in the Mendocino National Forest and will be the closest national forest wilderness to the San Francisco-Oakland metropolitan area. It is ideally suited to spring and fall use when more distant, higher elevation areas are under snow. Snow Mountain itself is the southern-most peak in the North Coast Range and is ecologically very significant. Nine species of rare plants have been identified and a minimum of 65 species reach their southern-most range on or near Snow Mountain. Opportunities for scientific research and educational outings are therefore very high. A minimum of 122 species of wildlife can be found within the area, including (according to the Forest Service "one of the most prosperous populations of mountain lion within the State"), black bear, golden eagle, peregrine falcon and goshawk. Although some commercial timber stands exist within the proposal, most of the timber is classified as

"marginal", and programmed harvest for the entire 37,000 acres is therefore less than a million board feet per year.

The wilderness proposal coincides almost exactly with the 37,000 acres which Congress designated for wilderness study in 1976.

(32) South Sierra Wilderness.—As with the additions to the Domeland wilderness, the 63,000-proposal consists of prime native golden trout habitat in, and adjacent to, the South Fork of the Kern River, fragile meadowlands, and a diversity of flora and fauna caused by the meeting of five distinct types of ecosystems. With the designation of the area wilderness, hikers will be able to travel almost 150 (air) miles from Kennedy Meadows to Tioga Pass in Yosemite National Park along the Pacific Crest Trail without encountering a road or other development.

Due to the relatively gentle terrain and numerous meadows, the Sequoia National Forest portion of the proposed wilderness is ideally suited to family oriented recreation. The more adventurous can frequent the rugged country along the Sierra crest on the Inyo National Forest side, and climb to the summit of 12,123-foot Olancha Peak at the northern end of the wilderness.

(33) South Warner Wilderness additions.—This 1,940-acre addition to the existing warner Wilderness comprises 5 parts and generally conforms the wilderness boundary to features which are more readily recognizable on the ground. Vegetation ranges from meadows to wooded slopes. The additions are identical to the wildereness recommendations in Rare II.

(34) Trinity Alps Wilderness.—The proposed wildereness is the second largest national forest roadless area in the lower 48 States not currently designated as wilderness, and an area of profound contrasts and varied wilderness attributes. Scientific values in this 500,000-acre wilderness range from the lush and diverse forests (the so-called "Green Trinities") around Little French Creek, through the spectacular granite peaks of the "White Trinities" and the lower elevation lands of the "Red Trinities" in the southeastern portion to the U-shaped valleys, numerous high lakes, meadows and peaks of the Orleans Mountain portion of the existing Salmon-Trinity Alps Primitive Area. The outstanding natural values of the Trinity Alps have been officially recognized since the early 1930's when much of the area was classified as the Salmon-Trinity Alps Primitive Area. Of the 500,000 acres in the proposal, some 350,000 acres were either recommended for wilderness in Rare II or lie within the Primitive Area.

With an area so diverse in nature, it is virtually impossible to list all the attributes which justify the wilderness designation. However, the following certainly deserve mention: anadromous fish runs in the lower elevations of many of the streams in the area; in excess of 500 miles of trails which provide access to much of the area; over 80 named (and numerous smaller) lakes—many with excellent fishing; existing or proposed route of a portion of the Pacific Crest Trail; largest expanse of alpine terrain in northern California; an area large enough to represent very broad ecosystem diversity and outstanding opportunities for solitude; large flows of high quality water (in excess of 1 million acre feet annually) which feed the Trinity, Salmon and Klamath Rivers; and some of the finest remaining wildlife habitat in the State. Due to these superlative values, the area is becoming increasingly popular for tourism and primitive recreation, which many area residents feel will stimulate the local economy. The fisheries values of the proposed wilderness cannot be overemphasized. The California Department of Fish and Game states that Little French Creek "covers some of the best summer steelhead and spring slamon habitats now left in Trinity County".

The committee is also mindful of several private land holding on the fringe of, or within, the proposed Trinity Alps wilderness, and the "checkerboard" land ownership which covers part of the area. To address this issue, the Committee excluded private lands wherever possible or left road corridors open. The Committee also notes that section 5 of the Wilderness Act, and section 1323 of the Alaska National Interest Lands and Conservation Act of 1980 provide for adequate access to private inholding within wilderness areas. Further discussion of the "checkerboard" land, land eccess issue can be found under "Section 103—Administration" heading of this Report.

(35) Ventana Wilderness additions.—This 2,750-acre addition to the existing wilderness completes the watershed protection for Tassajara Creek, and contains significant wildlife habitat. The new wilderness boundary lies along existing roads and will thus be easier to locate on this ground. The addition is traversed by the very popular Church Creek hiking trail which leads into the heart of the wilderness, and is adjacent to the well-known Tassajara Hot Springs.

(36) Yolla Bolly-Middle Eel additions.—The proposed 44,000 acres of wilderness additions protect key portions of the watershed of the North and Middle Forks of the Eel River, and were recommended for wilderness as part of the comprehensive Trinity County RARE II package. The North and Middle Forks of the Eel support more than 50 percent of California's remaining summer steelhead population and lie in watersheds that contain active landslides and some of the most highly erodible soils in the world. A 1978 study by the California Department of Fish and Game recommended that the entire area be retained in its natural state so as to avoid adverse impact on fisheries. Specifically, the study advised against any new logging or roadbuilding in the area. The boundaries of the additions proposed in H.R. 1437 coincide with these recommendations and include certain BLM and private lands which the State agency deemed important for protection.

In addition to the critical fisheries values, the proposed wilderness additions comprise important lower elevation range for wildlife and contain several popular hiking trails. The BLM additions consists of rugged terrain with little commercial timber but spectacular views and isolated canyons and creeks. Their inclusion in wilderness is logical from both a watershed and wilderness management perspective.

(37) Bucks Lake Wilderness.—One of the major headwater areas of the Feather River, the 21,000-acre proposed wilderness represents a relatively low elevation Sierra Nevada ecosystem of a type not currently well represented in the Wilderness System. Indeed, this would be the first wilderness area in the entire 1.2 million acre Plumas National Forest. In addition to its major watershed values, the proposed wilderness has an outstanding 300–400 year

old Red Fir forest, several quaking bogs (uncommon in the Sierra Nevada), and habitat for several rare or endangered plant species. Although some commercial timber values are present, much of the area is very poor site class (6 or 7) or is underlain by soils with extreme or high erosion potential. The area is popular for primitive recreation and is traversed by over 15 miles of the Pacific Crest Trail, which runs through the center of the proposal. Bucks Lake and Silver Lake, which lie at the edge of the proposed wilderness, as well as several smaller lakes within the area, make for a nice combination of land and water oriented recreation. Further, access to the area is facilitated by numerous fringing roads and the roads leading to Bucks and Silver Lakes.

(38) Machesna Mountain Wilderness.—The proposed 20,000-acre wilderness is located on the Los Padres National Forest and is known as one of the finest wildflower areas in the State. It is readily accessible to residents of the San Luis Obispo area and is popular for primitive recreation. Peregrine falcon nest in the area and the endangered California condor has nested there within recent years.

At the request of off road vehicle enthusiasts approximately 13,000 acres were deleted from the original proposal of H.R. 1437 in order to exclude several popular ORV trails and high use areas.

(39) Jennie Lakes Wilderness.—The proposed 10,500-acre wilderness is a lovely mixture of lakes, meadows, forest and streams that is highly diverse and adjoins the western boundary of both Sequoia and Kings Canyon National Parks. It has several trails which lead into the Parks and constitute a scenic approach route to the higher elevation lands along the Sequio-Kings Canyon Park divide. The proposal excludes the potential Mitchell-Maddox ski site as well as some timbered lands along the northern fringe of the Jennie Lakes roadless area. The boundaries proposed in H.R. 1437 should remove all resource conflicts from the proposal while at the same time protecting fragile natural assets such as Rowell Meadow, Poison Meadow, Jennie Lake and Shell Mountain.

SECTION 102

Section 102 would designate three planning areas, totaling approximately 96,200 acres of National Forest System lands; and directs the Secretary to review their wilderness suitability, to report findings to Congress within three years, and to maintain the present wilderness character for a period of four years. The planning areas are as follows:

(1) Carson-Iceberg Planning Area.—Both the southern and northern portions of the Carson-Iceberg Planning Area are characterized by high elevation tree species, shallow soils, and large concentrations of rock. The southern portion is located in Tuolumne County and bounded on the south by Highway 108, and on the north by the Clarks Fork River. The northern portion is located in Alpine County. Neither area contains any programmed timber yield, but both areas are favored by off-road recreation vehicle (ORV) enthusiasts. The mining potential for these areas include possible gold and silver reserves. Disbursed recreation is favored in the southern portion of the planning area with special emphasis on deer hunt-

ing. Also located in the southern portion area is a sheepgrazing allotment on part of the area. More should be known about the mineral potential and ORV demands on the planning area before a decision should be made regarding their suitability for wilderness designation.

(2) Hoover Wilderness Additions Planning Area.—This 49,200-acre area appears to be a logical addition to the existing Hoover Wilderness. It has over 24 alpine lakes (many with native fish species), and was recommended for wilderness by the President. Inclusion of the area in wilderness will add diversity to the existing wilderness and complete a wilderness buffer along the north edge of Yosemite National Park. The whole area possesses outstanding scenic beauty, and is characterized by prominent peaks over 10,000 feet and the "U" shaped canyons formed by previous glacial activity. Much of the area is above timberline, and consists of fragile alpine ecosystems. Nonmotorized recreation use is the highest for any RARE II roadless areas on the eastern flank of the Sierras, a testimony to the area's popularity. The Pacific Crest Trail runs along the southern and western boundaries of the proposed addition.

The area is not being recommended for wilderness classification at this time in consideration of a potential power line corridor and other possible development that would be incompatible with wilderness classification.

(3) Pyramid Peak Planning Area.—This 17,000-acre area is located in the San Bernardino National Forest about 12 miles south of Palm Springs, and receives heavy primitive recreation use by viture of its easy accessiblity. The Pacific Crest Trail runs along the western boundary and offers outstanding views of Palm Springs, Palm Desert and Rancho Mirage. Other interesting natural features include Palm Canyon and with its Washington fan palms, cottonwoods, rushes, ferns, grasses, and other sensitive plant species, and Live Oak Canyon with the 40-foot Hidden Falls. The areas provides habitat for desert bighorn sheep and numerous other wildlife species.

The area possesses characteristics that appear to make it suitable for wilderness classification. However, it also appears to contain a significant mineral potential that should be further assessed before any further action on classification is considered.

SECTION 103—ADMINISTRATION OF NATIONAL FOREST WILDERNESS AREAS

H.R. 1437, as reported, reaffirms the provisions of the Wilderness Act of 1964, as it pertains to administration, livestock grazing, control of fire, insect and diseases, and traditional wilderness values. This section also provides for acquisition of private lands within wilderness areas designated by this title. The private land situation is discussed in more detail below:

Private lands

The wilderness areas proposed for designation in H.R. 1437, as reported, contain approximately 45,000 acres of private land, much of which is in a "checkerboard" ownership pattern, owned by

Southern Pacific Land Company. Many of the private landowners have expressed their desire to keep or dispose of their holdings, H.R. 1437, as reported, contains a special land exchange provision. Within sixty days of the date of enactment of this title, the Secretary of Agriculture shall enter into negotiations to acquire by exchange all or part of any privately owned lands within the national forest wilderness areas designated by this title. Such exchanges shall to the maximum extent practicable be completed within three years after the date of enactment of this title. The Secretary is authorized to acquire such lands by means other than exchange, beginning three years after the date of enactment of this title. Acquisition shall be only with the concurrence of the owner. Values shall be determined without reference to any restrictions on access or use which arise out of designation as a wilderness area.

For those wishing to retain their land, the Committee discussed its desire to assure non-federal owners of land within wilderness areas designated by this legislation, access to their landholdings. The Committee believes that the access provisions of existing law, including the Wilderness Act of 1964 and Section 1323 of the Alaska National Interests Lands Conservation Act of 1980, are intended to ensure such access to inholdings in a reasonable manner, taking into account the particular circumstances of each case. The Committee intends that non-federal landowners will have access to their lands, including the continued use or construction of roads, depending upon the location and use of the particular land.

As a separate matter, the committee is conducting a review of the provisions of law regarding access, the interpretation of such law, and its implementation by the administering agencies.

SECTION 104

Section 104 provides that, as soon as practical, the Secretary of Agriculture is to file maps and legal descriptions of wilderness areas designated by this title, with the Committee on Energy and Natural Resources of the United States Senate and the Committee Interior and Insular Affairs of the House of Representatives, and is to make such maps available for public review in the office of the Chief of the Forest Service. The Act also provides the Secretary authority to correct clerical and typographical errors in such maps and legal descriptions.

SECTION 105—ADDITION TO THE NATIONAL PARK SYSTEM

H.R. 1437, as reported, provides for adding certain lands to the National Park System. The House version of H.R. 1437 proposed 4 additions totaling 16,685 acres. The Committee agrees that two of those areas are appropriate for National Park designation.

(1) Jennie Lakes Addition—Sequoia-Kings Canyon National Parks.—The addition of some 1,500 acres comprises a tributary watershed to the Kaweah River and will widen the current mile wide corridor joining the General Grant Grove section of Kings Canyon National Park to the main body of Sequoia National Park. The boundary of the addition is intended to be drawn to exclude the existing Bald Rock timber sale.

(2) McCauley Ranch addition-Yosemite National Park.—The McCauley Ranch is currently owned by the National Park Service and is used for administrative purposes in support of the management of Yosemite National Park. The ranch was acquired in the early 1960's as part of a large acquisition. Its continued use by the National Park Service is essential future management of the park.

This section also provides for the appropriate jurisdictional transfers between the Secretary of Agriculture and the Secretary of the Interior, for lands described in subsection (a) and for the appropriate boundary adjustments to be made.

SECTION 106

Section 106 of H.R. 1437, as reported, designates two areas, totaling 1,418,230 acres of National Park System lands as components of the National Wilderness Preservation System.

On July 26, 1983 the National Park Service submitted a wilderness study report to Congress in response to Public Law 88-577, which mandated wilderness study of roadless areas in the National Park System. The Park Service recommended wilderness classification for 678,500 acres of Yosemite National Park and 825,853 acres for Sequoia-Kings Canyon National Park.

Four units of the National Park System in California are affected by wilderness designations in this title: Yosemite National Park, Sequoia National Park, Kings Canyon National Park and Devil Postpile National Monument (monument designation in paragraph 101(a)(25) of the title). In each instance (with the exception of Sequoia National Park), the great majority of the unit's acreage is designated wilderness by this title.

Nearly all of the National Park System acreage designated wilderness by this title has historically exhibitied wilderness character, and has offered excellent opportunities for wilderness type experiences. The statutory designation of these lands as wilderness will assure, in perpetuity, opportunity for a visitor to enjoy a wilderness experience. Use of the undeveloped back country areas of these park units has increased fantastically in recent years.

SECTION 107

Section 107 provides for the filing of maps and legal descriptions of national park wilderness areas designated by this title, with the Committee on Energy and Natural Resources of the United States Senate and the Committee on Interior and Insular Affaris of the House of Representatives; and for making such maps available to the public in the office of the Director of the National Park Service. The Act also provides authority to correct clerical and typographical errors in such maps and legal descriptions.

SECTION 108

Section 108 provides that the Secretary of the Interior may designate certain lands described as potential wilderness on maps in certain units of the National Park System as wilderness when certain uses prohibited by the Wilderness Act cease on such lands. The Secretary is to publish notice in the Federal Register that the prohibited uses have ceased. The section also provides for management of such areas prior to wilderness designation.

SECTION 109

Section 109 provides that management of national park wilderness designated in section 106 of this title shall be managed in accord with the Wilderness Act of 1964 and that references in 1964 Act to the Secretary of Agriculture shall be deemed a reference to the Secretary of the Interior.

SECTION 110

The Committee wishes to point out that the North Fork Smith Roadless (RARE II No. 5707) has been released from further wilderness consideration in paragraph (III)(d)(3).

Because a portion of the North Fork Smith roadless areas is overlain by significant deposits of laterite containing cobalt, nickel and chromium, the Committee included a subsection in the bill to insure that future administrative designations or recommendations will not impair possible development of the cobalt and associated minerals contained in the laterite deposits. This subsection provides that for the purpose of exploration and development for cobalt and associated minerals, the lands encompassed in RARE II area No. 5–707 will be treated the same as national forest lands not designated as wilderness.

SECTION 111—WILDERNESS REVIEW CONCERNS

This section contains the "release-sufficiency" provisions.

"Release/sufficiency" language has been incorporated by the Congress in several State wilderness bills enacted over the past several years. That language statutorily confirmed the April 1979 administrative "release" of certain RARE II nonwilderness recommended lands and released other lands not designated as wilderness or wilderness study. This was commonly referred to as "Colorado release."

The language continued to trouble a number of affected industry groups, and in an effort to address their concerns, the Committee has made clarifications in the statutory language found in section III. The Committee wishes to further clarify the purpose and intent of the provisions of this section and elaborate on certain issues not specifically discussed in previous bills.

The question of "release" i.e., making lands available for nonwilderness management and possible development arises from the interest in the future management of areas reviewed during the RARE II process. The controversy focuses on the point at which those lands not designated as wilderness or wilderness study by this Act but reviewed in the RARE II process can again be considered for possible recommendation to the Congress for designation as wilderness, and on the question of how these lands will be managed.

The "sufficiency" aspect of this question arose because of a decision in Federal District Court in California. Soon after the completion of RARE II, the State of California brought suit against the

Secretary of Agriculture challenging the legal and factual sufficiency of the RARE II Final Environmental Impact Statement insofar as its consideration of wilderness in some 46 areas in the State of California was concerned.

In January 1980 Judge Lawrence Karlton of the United States District Court for the Eastern District of California, in *State of California* v. *Bergland,* 483 F. Supp. 465 (1980), held that the RARE II Final Environmental Statement had insufficiently considered the wilderness alternative for the specific areas challenged. Judge Karlton enjoined any development which would "change the wilderness character" of these areas until subsequent consideration of the wilderness values in accordance with the National Environmental Policy Act was completed by the Department of Agriculture. The Ninth Circuit Court of Appeals affirmed in District Court opinion in *California* v. *Block,* 690 F.2d 653 in 1982.

While the decision applied specifically only to the 46 roadless areas in California for which the plaintiffs sought relief, the overall conclusions in the case are binding in States that are located in the Ninth Circuit. The net effect is that development activities on roadless areas in such States may be held up if appealed in administrative or judicial forums. This has, in fact, already happened in several instances, and has thrown a cloud of uncertainty over the development of some roadless areas, whereas development has occurred in others.

The Wilderness Act of 1964 provides that only Congress can designate land for inclusion in the National Wilderness Preservation System. Since the Committee has, in the course of developing this Act, very carefully reviewed the roadless areas in California for possible inclusion in the National Wilderness Preservation System, the Committee believes that judicial review of the RARE II Final Environmental Statement insofar as national forest system lands in California are concerned is unnecessary. Therefore, the Act provides that the final environmental statement is not subject to judicial review with respect to national forest system lands in California.

The Committee does wish to reemphasize that the sufficiency language in this Act only holds the RARE II EIS to be legally sufficient for the roadless areas in the State of California and only on the basis of the full review undertaken by the Congress. Similar language will be necessary to resolve the issue in the other States.

Management and future wilderness consideration of roadless areas not designated as wilderness or wilderness study

The RARE II process during 1977–79 took place concurrently with the development by the Forest Service of a new land management planning process mandated by the National Forest Management Act of 1976. That process requires that the forest land management plans be reviewed and revised periodically to provide for a variety of uses. During the review and revision process the Forest Service is required to study a broad range of potential uses and options including wilderness. In conjunction with the National Environmental Policy Act, NFMA provides that the option of recommending land to Congress for inclusion in the National Wilderness Preservation System is one of the many options which must be considered during the planning process for those lands which may be suited for wilderness. The language of H.R. 1437 reconfirms this requirement. The Forest Service is presently developing the initial, or "first generation", plan for each national forest. These are the so-called "section 6" plans, they are targeted for completion by September 30, 1985. For the 17 national forests in California some plans may not actually be completed and implemented until 1986 or later due to administrative problems including delay resulting from the cloud of the California lawsuit and the debate taking place as a result of pending legislation.

One of the goals of RARE II was to consider the wilderness potential of national forest roadless areas. The Committee believes that further consideration of wilderness during development of the initial plans for the national forest system roadless areas as defined by section 111, not designated as wilderness upon enactment of H.R. 1437 would be duplicative of the study and review which has recently taken place by both the Forest Service and the Congress. Therefore, the release language of section 111 provides that wilderness values of these areas need not be reviewed again during development of the "first generation plans." Moreover, the language provides that during development of, and prior to or during revision of initial plans, released areas need not be managed for the purpose of protecting their suitability for wilderness designation.

Beyond the initial plans lies the issues of when the wilderness option for roadless areas should again be considered. As noted, the initial plans are targeted for completion by September 30, 1985. The National Forest Management Act provides that a plan shall be in effect for no longer than 15 years before it is revised. The Forest Service regulations, however provide that a forest plan "shall ordinarily be revised on a 10-year cycle or at least every 15 years." (36 CFR § 219.10(g)). The language of H.R. 1437 tracks these regulations.

The Act, as reported, provides that the Department of Agriculture shall not be required to review the wilderness option until it revises the initial plans. By using the word "revision" the Committee intends to make it clear, consistent with NFMA and current Forest Service regulations, that amendments or even amendments which might "result in a significant change" in a plan, would not trigger the need for reconsideration of the wilderness option and section III so provides. The wilderness option does not need to be reconsidered until the Forest Service determines, based on a review of the lands covered by a plan, that conditions in the area covered by a plan have changed so significantly that the entire plan needs to be completely revised.

A revision of a forest plan will be a costly undertaking in terms of dollars and manpower and the Committee does not expect such an effort to be undertaken lightly. Every effort will be made to address local changes through the amendment process leaving the revision option only for major, forest wide changes in conditions or demands.

For example, if a new powerline were proposed to be built across a forest, this would be accomplished by an amendment, not a revision, and therefore the wilderness option would not have to be reexamined. Likewise, the construction of new range improvements or adjustments in livestock allotments for permittees would not constitute a "revision". It is only when a proposed change in management would significantly affect overall goals or uses for the entire forest concerned, that a "revision" would occur. For example, the recent eruption of Mt. St. Helens, because it affected so much of the land on the entire Gifford Pinchot National Forest, including the forest's overall timber harvest scenario, would likely have forced a "revision" of the plan. Likewise, decisions to dramatically increase timber harvest levels on an entire forest or to change a multiplicity of uses in order to accommodate greatly increased recreation demands might force a "revision". In this regard, the Committee wishes to note, however, that in the vast majority of cases the 10-15 year planning cycle established by NFMA and the existing regulations is short enough to accommodate most changes. Conditions are highly unlikely to change so dramatically prior to 10-15 years that more frequent "revisions" would be required. For example, it would be hard to envision a scenario under which demands for primitive, semi-primitive or motorized recreation would increase so rapidly over an entire National Forest that the Forest Service would feel obliged to revise a plan prior to the normal 10-15 life span. Recreation demands might increase in a specific area or areas, but such demands could be met by amending the plan, as opposed to revising it.

Forest Service Chief Max Peterson has indicated that, in his view, most plans will be in existence for approximately 10 years before they are revised. The Committee shares this view and anticipates that the vast majority of plans will not be revised significantly in advance of their anticipated maximum life span absent extraordinary circumstances. The Committee understands and expects that with first generation plans to be in effect by late 1985, or slightly later, the time of revision for most plans will begin around 1995. In almost every case, the Committee, therefore, expects that the consideration of wilderness for these roadless areas will not be reexamined until approximately 1995. The Committee notes that administrative or judicial appeals may mean that many first generation plans are not actually implemented until the late 1980's, in which case plan revisions would be unlikely to occur until around the year 2000, or beyond. Or, if the full 15 years allowed by NFMA runs before a revision is undertaken, the wilderness option may not in some cases be reviewed until the year 2000 or later.

The question has also arisen as to whether a "revision" would be triggered if the Forest Service is forced by the courts to modify or rework an initial plan, or if the Forest Service withdrew an initial plan to correct technical errors or to address issues raised by an administrative appeal. The Committee wishes to state in the most emphatic terms possible, that any reworking of an initial plan for such reasons would obviously not constitute a "revision" of the plan that would reopen the wilderness question. Rather, any such reworking would constitute proper *implementation* of the plan. The logic for the Committee's reasoning in this regard is that any such court ordered or administrative reworkings or modifications of a plan would come about to resolve questions related to the preparation and implementation of the plan in accordance with the requirements of NFMA and other applicable law. So such reworking or modification would not be a "revision" (which pursuant to NFMA and the implementing regulations is to be based on changed conditions or demands on the *land*), because a plan must be properly prepared and implemented before it can be "revised".

The fact that the wilderness option for roadless areas will be considered in the future during the planning process raises the hypothetical argument that the areas must be managed to preserve their wilderness attributes so these may be considered in the future. Such an interpretation would result in all roadless areas being kept in de facto wilderness for a succession of future planning processes. Such a requirement would completely frustrate the orderly management of nonwilderness lands and the goals of the Forest and Rangeland Renewable Resources Planning Act as amended.

To eliminate any possible misunderstanding on this point, the act provides that areas not designated as wilderness need not be managed for the purpose of protecting their suitability for further wilderness review prior to or pending revision of the initial plans. The Committee believes the Forest Service already has statutory authority to manage roadless areas for multiple use, nonwilderness purposes. It wishes to make clear, however, that study of the wilderness option in future generations of section 6 plans is required only for those lands which may be suited for wilderness at the time of the implementation of the future plans. Between the planning cycles, the uses authorized in the plan in effect can proceed until a new plan is implemented. In short, one plan will remain in effect until the second plan is implemented. For lands recommended for nonwilderness uses in future generations of plans there is no bar to management which may, as practical matter, result in the land no longer being suited for wilderness. Thus it is likely that many areas studied for wilderness in one generation of plans may not physically qualify for wilderness consideration by the time the next generation of plans is prepared. As an example of this, the Committee notes that many areas studied for wilderness in RARE II and recommended for nonwilderness have already been developed since their administrative "release" in April of 1979.

Therefore, under this language, the Forest Service may conduct a timber sale in a roadless area and not be challenged on the basis that the area must be considered for wilderness in a future planning cycle. Once a second-generation plan is implemented in accordance with applicable law including the National Environmental Policy Act, the Forest Service may, of course, manage a roadless area not recommended for wilderness designation according to that plan without the necessity of preserving the wilderness option for the third-generation planning process. Should the particular area still be suited for possible wilderness at the time of the third-generation planning process, the wilderness option would be considered at that time. In short, the wilderness option must be considered in each future planning generation if the particular land in question still posses wilderness attributes. But there is no requirement that these attributes be preserved solely for the purpose of their future evaluation in the planning process.

In short, this language means that the Forest Service cannot be *forced* by any individual or group through a lawsuit, administrative appeal, or otherwise to manage lands not recommended for wilderness designation in a "de facto" wilderness manner. Of course, the Forest Service can, if it determines it appropriate manage lands in an undeveloped manner, just as it can, if through the land management planning process it determines it appropriate develop released lands. The emphasis here is that the Forest Service will be able to manage released lands in the manner determined appropriate through the land management planning process.

However, the language also provides that lands recommended for wilderness in future generations of plans shall be managed for the purpose of protecting their suitability for wilderness designation as may be required by the Forest and Rangeland Renewable Resources Planning Act of 1974, as amended by the National Forest Management Act of 1976, and other applicable law upon implementation of such plans.

The final issue addressed by the Committee in section III of H.R. 1437 pertains to the possiblity of future administrative reviews similar to RARE I and RARE II. With the National Forest Management Act planning process now in place, the Committee wishes to see the development of any future wilderness recommendations by the Forest Service take place only through the planning process, unless Congress expressly asks for other additional evaluations. Therefore, the legislation directs the Department of Agriculture not to conduct any further statewide roadless area reveiw and evaluation of national forest system lands in California for the purpose of determining their suitability for inclusion in the National Wilderness Preservation System.

The Committee recognizes that this directive might technically be evaded by conducting such a study on some basis slightly smaller than statewide. The Committee is confident, however, that the Department recognizes the spirit as well as the letter of this language and that the Committee can expect there will be no "RARE III".

TITLE II—DESIGNATION OF TUOLUMNE WILD AND SCENIC RIVER

Section 201 would designate 83 miles of the main stem of the Tuolumne River as a component of the National Wild and Scenic Rivers System (NWSRS).

In 1975, Congress directed that a 92-mile segment of the Tuolumne River be studied for possible inclusion in the National Wild and Scenic Rivers System (P.L. 93-621, January 3, 1975, 88 Stat. 2095). After study and public hearings, the Secretaries of the Interior and Agriculture found 83 miles of the Tuolumne to possess outstanding natural, scenic, recreational, geological, fish and wildlife, historical and cultural values. In 1979 the President recommended to Congress that the Tuolumne be included in the NWSRS, with 47 miles classified as wild, 23 miles as scenic, and 13 miles as recreational; as identified on the map dated May 1979.

The Committee is aware that a portion of the 158 mile long Tuolumne River is a "working river", with dams and diversions above and below the segments being recommended for Wild, Scenic and

Recreational River designation. The Committee does not intend that designation will interfere with the existing "working" status or possible additional development on tributaries to the main stem of the river.

This section provides in part that designation does not prevent tributary development on the North Fork, Middle Fork, and South Fork of the Tuolumne River or the Clavey River.

The Committee is aware that Modesto, California Water District (MCWD) has received a permit from the Federal Energy Regulatory Commission (FERC) to make a hydroelectric feasibility study on the main stem of the Tuolumne, and that the first year of a three year, 15 million dollar study has been completed. The Committee is also aware that, in granting the study permit to MCWD, FERC specifically called attention to the Wild and Scenic Rivers Study and the Administration's recommendations for classification.

TITLE III—ESTABLISHMENT OF MONO BASIN NATIONAL FOREST SCENIC AREA

Title III would establish a 66,000 acre National Forest Scenic Area around Mono Lake, California and the surrounding environs. An Act to establish the scenic area passed the House of Representatives on July 18, 1983 (H.R. 1341).

Section 301 establishes the Mono Basin National Forest Scenic Area, by map reference, within and adjacent to the Inyo National Forest, California.

Section 302 extends the boundary of the Inyo National Forest to include the Mono Basin National Forest Scenic Area and provides that all lands added to the Forest shall be subject to the funding provisions of the Land and Water Conservation Fund Act. The exterior boundary includes approximately 116,900 acres, which includes the 50,900 acre surface of Mono Lake. The land surface is approximately 66,000 acres, of which about 22,000 acres are under the jurisdiction of the Forest Service, and about 24,000 acres are currently under the jurisdiction of the Bureau of Land Management, which would be transferred to the Forest Service under the provisions of the Act. Also included within the boundary is about 1,000 acres of land owned by the State of California, about 8,500 acres owned by the City of Los Angeles, and about 5,000 acres of privately owned land.

Section 303 provides acquisition authority for land or interests therein to the Secretary of Agriculture (the Secretary). Lands owned by the State of California or any political subdivision thereof can be acquired only by donation or exchange. Privately owned lands may not be acquired unless, after written notice to and response from the owner, the Secretary determines that the property will be developed in a manner detrimental to the integrity of the scenic area.

Subsection (b) requires the Secretary to publish guidelines under which determinations of development detrimental to the integrity of the scenic area will be made. No uses of private land which existed prior to June 1, 1984, nor certain stated reconstruction or expansion of structures and associated facilities are to be considered as detrimental.

Subsection (c) provides guidelines to the Secretary regarding procedures to be followed for the exchange of any mineral or geothermal rights within the scenic area.

Section 304(a)(1) provides that the scenic area will be administered by the Chief of the Forest Service as a separate unit within the Inyo National Forest in accordance with the Act and other applicable law. All public lands within the scenic area that are currently under the jurisdiction of the Bureau of Land Management shall be transferred to the Secretary of Agriculture.

Paragraph (2) provides for transfer of an additional 1,080 acres of BLM administered land, outside the scenic area boundary, to the Forest Service.

Paragraph (b)(1) provides that, in a manner consistent with the protection of the water rights of the State of California, the Secretary will manage the scenic area to protect its geologic, ecologic, and cultural resources and will provide for recreational and interpretive use and for scientific research. No timber harvesting will be permitted; however, non-commercial use of firewood, posts and poles, and Christmas trees may be authorized. It also authorizes action to control fire, insects and disease that might damage the scenic area.

The Secretary is directed to manage the scenic area in a manner consistent with the protection of the water rights of the State of California or any political subdivision thereof including the City of Los Angeles and that such management, under the provisions of this Act, shall not affect or impair the operation of any water diversion activity in the Mono Basin or the scenic area granted under the laws of the State of California. Mono Lake is within the scenic area. The rights to use water tributary to Mono Lake, and the manner of exercise of such rights is a matter to be administered by the State of California pursuant to State law.

Subsection (c) directs the Secretary to continue to authorize grazing permits for those persons currently holding valid grazing permits within the scenic area, consistent with other applicable law, and the appropriate policies and regulations pertaining to livestock grazing on National Forest System lands.

Subsection (d) authorizes the Secretary to enter into cooperative agreements with the State of California or any political subdivision of the State to protect and administer the scenic area.

Subsection (e) requires the Secretary to submit a comprehensive management plan for the scenic area to the Congress, within three years after enactment of the Act and provides guidance as to the content of the plan.

The plan is to provide for continuation of hunting and fishing activities, including commercial brine shrimp operations.

Subsection (f) authorizes the Secretary to construct a visitor center for the purpose of providing information and interpretative programs for the scenic area.

Subsection (g) withdraws federally owned land from entry for the purpose of mining, mineral or geothermal leasing and from any disposition under the public land laws. It also recognizes any valid existing rights and provides that reasonable regulations may be issued by the Secretary to assure that mining will be consistent with protection of the scenic area.

Subsection (h) provides that nothing in the Act will be construed to reserve any water rights for the scenic area nor to affirm, deny, or affect any water rights of any person or the State of California or any political subdivision thereof, including the City of Los Angeles, nor cause or allow any interference with any such water rights under the laws of the State.

Subsection (i) repeals the Act of June 23, 1936 (49 Stat. 1982) and provides for conveyance of rights-of-way easements for certain lands.

Subsection (j) provides that existing community recreational uses within the scenic area shall be permitted to continue at the levels and locations customarily exercised.

Section 305 requires the Secretary to take action to enter into an agreement with the National Academy of Sciences to study the ecology of the scenic area. It also requires consultation with knowledgeable persons, agencies, and organization. The report is to be submitted to the Congress by January 1987 and progress reports are to be submitted annually until the study is completed.

Section 306 establishes a nine member advisory board to advise the Secretary on the management of the scenic area. The board will terminate 10 years after enactment.

The Scenic Area Advisory Board is to give local residents in the Mono Basin as well as other entities with interests in the Basin the opportunity to advise the Forest Service on the policies, programs and activities in accordance with the Act, including the implementation of the scenic area management plan and the location of the visitor center. The board is only advisory and no recommendations by the board shall be binding upon the Secretary.

Section 307 provides for the continuation of traditional, cultural and religious uses of the scenic area by Indian people of the vicinity.

Section 308 provides for appropriation, in addition to other amounts available, such sums as may be necessary to carry out the purposes of the Act.

Section 309 provides for compliance with the Congressional Budget Act of 1974.

The Committee also adopted a technical amendment to the title.

SECTION-BY-SECTION SUMMARY

Section 101 proposes to add 39 areas of National Forest System lands, totaling 1,792,330 areas, to the National Wilderness Preservation System.

Section 102 proposes to designate three planning areas, totaling approximately 96,200 acres of National Forest System lands, and directs the Secretary to review their wilderness suitability, to report findings to Congress within three years, and to maintain the present wilderness character for a period of four years.

Section 103 reaffirms provisions of the Wilderness Act as it pertains to administrative livestock grazing, control of fire, insects and diseases, and traditional wilderness values. This section also provides for acquisition of private lands within certain wilderness areas.

Section 104 provides for the filing of official maps of the national forest wilderness designated by H.R. 1437.

Section 105 proposes to adjust boundaries between national forests and national parks, resulting in a net addition to the National Park System of 1,678 acres.

Section 106 of H.R. 1437, as reported, proposes to designates two areas, totaling 1,418,230 acres of National Park system lands as components of the National Wilderness Preservation System.

Section 107 provides for the filing of official maps of the national park wildernesses designated by H.R. 1437.

Section 108 specifies management direction for National Park System "potential wilderness additions".

Section 109 prescribes management direction for National Park System wilderness designated by this Act.

Section 110 exempts certain national forest roadless areas from the United States Mining Laws.

Section 111 contains "release language" that specifies the general guidlines for future management of the RARE II areas not designated a wilderness, planning areas or remaining in further planning as a result of passage of H.R. 1437 as reported.

Section 201 proposes to designate an 83-mile segment of the main stem of the Tuolumne River as a component of the National Wild and Scenic River System.

Section 301 proposes to establish the "Mono Basin National Forest Scenic Area" in the State of California.

Section 302 proposes to extend the boundary of the Inyo National Forest to include all lands within the Mono Basin National Forest Scenic Area.

Section 303 provides for, and sets conditions for, acquisition of private lands within the scenic area.

Section 304 prescribes administration and management direction for the scenic area, including the transfer of jurisdiction over certain Federal lands from the Secretary of the Interior to the Secretary of Agriculture.

Section 305 provides for a scientific study of the scenic area by the National Academy of Sciences.

Section 306 provides for establishment of a scenic area advisory board.

Section 307 provides for traditional uses of the scenic area by Native Americans for cultural and religious purposes.

Section 308 authorizes the appropriation of funds necessary to carry out purposes of the designation.

Section 309 provides for compliance with the Budget Act of 1974.

COST AND BUDGETARY CONSIDERATIONS

The Committee does not intend that this measure (H.R. 1437) authorize any additional budget authority for fiscal year 1984 and fiscal year 1985 than that already available to the Department of Agriculture. The Committee intends that if any fiscal year 1984 and fiscal year 1985 costs are incurred from implementation of the bill that they will be absorbed within funds otherwise available to the Department of Agriculture.

The likelihood that the Committee on Energy and Natural Resources would report the measure, H.R. 1437, was reflected in its March 15, 1984 report to the Committee on the Budget pursuant to section 301(c) of the Congressional Budget and Impoundment Control Act of 1974. Therefore, the Appropriations Committee of the Senate has had adequate notice of this authorization.

The following estimate of the cost of this measure has been provided by the Congressional Budget Office:

U.S. Congress,
Congressional Budget Office,
Washington, DC., August 3, 1984.

Hon. James A. McClure,
Chairman, Committee on Energy and Natural Resources, U.S. Senate, Dirksen Senate Office Building, Washington, DC.

Dear Mr. Chairman: The Congressional Budget Office has reviewed H.R. 1437, the California Wilderness Act of 1983 as ordered reported by the Senate Committee on Energy and Natural Resources, August 1, 1984.

Title I of this bill designated approximately 1.8 million acres of forest land and 1.4 million acres of parkland as wilderness and directs the Secretary of Agriculture to determine the suitability of an additional 96,200 acres of forest land for wilderness designation. The bill also adds 1,685 acres of national forest and other land to the national park system and transfers jurisdiction over two parcels of land between the Secretaries of Agriculture and the Interior. Based on information from the National Forest Service, it is estimated that additional costs to the federal government resulting from the surveying, planning and related activities necessary to implement the wilderness withdrawals will be approximately $2 million during the five fiscal years beginning with 1985. The studies are expected to cost an additional $0.3 million during fiscal years 1985, 1986, and 1987.

The Secretary of Agriculture is authorized to acquire lands (by exchange or otherwise, on a willing-buyer-willing-seller basis) from private parties owning land within all areas designated as wilderness by the act. No estimate of the budget impact of this provision can be made because there is no basis for predicting whether landowners will opt to sell or exchange their land. The National Forest Service has estimated that the total value of the private landholdings affected by this provision is approximately $80 million to $90 million.

According to the provisions of the National Wilderness Preservation System Act, all timber in areas designated as units of the national wilderness preservation system is removed from the timber base of the national forest in which it is located. This results in a reduction of the annual potential yield of the forest. H.R. 1437 will result in an annual total reduction of timber available for sale of approximately 150 million board feet. Because much of the land designated as wilderness by this bill has already been recommended for wilderness designation or protected in further planning status, the total annual programmed harvest for the areas affected by this title is only about 90 million board feet. Thus, it is estimated that gross timber receipts to the federal government will be reduced by about $8 million per year as a result of enactment of this legislation. However, because of the lag between timber sales and receipts, the loss of receipts will be smaller during the first five years following enactment of the bill. Furthermore, any lost federal timber receipts would be at least partially offset by reduced payments to state and local governments, and by a reduction in timber purchaser road construction credits.

All roadless areas in national forests not designated as wilderness or expressly excluded from futher review by an act of the Congress are currently being reevaluated for their suitability for inclusion in the national wilderness preservation system. Enactment of H.R. 1437 will necessitate revisions in the land management planning process for this review in the state of California. This will result in an increse of about $1 million in land management planning costs over the next 10-15 years.

Title II of this bill adds an 83-mile long segment of the Tuolumne River to the National Wild and Scenic Rivers System. Estimated additional costs to the federal government to develop this segment as a wild and scenic river would be about $500,000 over the five fiscal years beginning in 1985. Operation and maintenance is expected to cost about $75,000 per year.

Title III establishes the Mono Basin National Forest Scenic Area; extends the boundary of the Inyo National Forest to include the scenic area; directs the Secretary of Agriculture to prepare a comprehensive management plan and to conduct a study regarding the ecology of the area; and authorizes construction of a visitor center and other recreational and interpretive facilities. The bill also authorizes the Secretary of Agriculture to acquire mineral interests and lands owned by the State of California within the scenic area by donation or exchange, or to purchase privately-owned lands that would otherwise be developed in a manner detrimental to the scenic area.

Based on information from the affected agencies, it is estimated that implementation of this bill would cost a total of about $3 million between fiscal years 1985 and 1989. About half of this amount is for construction of the visitor center and related facilities, which will cost a total of approximately $1.5 million in fiscal years 1986 through 1988. Subsequently, maintenance costs of about $85,000 are expected to be incurred annually. Total outlays for the management plan and the study of the scenic area will be approximately $250,000 annually during the fiscal years 1985 through 1988. In addition, this title specifically prohibits commercial timber harvesting and granting of additional grazing permits, and withdraws all federally-owned land from mineral leasing. It is anticipated that lost receipts to the federal government will be about $60,000 annually, beginning in fiscal year 1985, as a result of enactment of these provisions. The bill also creates a nine member board to advise the Secretary to pay expenses incurred by the board. Outlays for these expenses are estimated to be $20,000 per year.

The bill's only impact on the budgets of state and local governments will result from a loss of less than $2 million annually in federal payments from timber receipts.

If you wish further details on this estimate, we will be pleased to provide them.

Sincerely,

RUDOLPH G. PENNER, *Director.*

REGULATORY IMPACT EVALUATION

In compliance with paragraph 11(b) of rule XXVI of the Standing Rules of the Senate, the Committee makes the following evaluation of the regulatory impact which would be incurred in carrying out H.R. 1437. The bill is not a regulatory measure in the sense of imposing Government-established standards or significant economic responsibilities on private individuals and businesses.

No personal information would be collected in administering the program. Therefore, there would be no impact on personal privacy.

Little, if any, additional paperwork would result from the enactment of H.R. 1437 as reported.

EXECUTIVE COMMUNICATIONS

The pertinent legislative reports received by the Committee from the Department of Agriculture setting forth executive agency recommendations relating to H.R. 1437 are set forth below:

DEPARTMENT OF AGRICULTURE
OFFICE OF THE SECRETARY
WASHINGTON, D. C. 20250

SENATE COMMITTEE ON
ENERGY AND NATURAL RESOURCES
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Honorable James A. McClure
Chairman, Committee on Energy
and Natural Resources
United States Senate
Washington, D.C. 20510

Dear Mr. Chairman:

As you requested, here is our report on H.R. 1437 as reported by the Committee on Interior and Insular Affairs, a bill entitled the "California Wilderness Act of 1983."

The Department of Agriculture strongly opposes H.R. 1437, and we recommend that it not be enacted.

H.R. 1437 would designate 58 new National Forest wildernesses and wilderness additions for a total of 2.3 million acres. The bill would designate one additional wilderness study area--Monache, and one planning area--Orleans Mountain--totaling 72,000 acres.

The previous Administration, as a result of RARE II, recommended 20 new wildernesses and 15 wilderness additions for a total of 1.3 million acres in California. We support the designation of these areas as wilderness with the exception of four areas: Red Butte, 25,300 acres (5703, 6703); Boundary Peaks, 58,800 acres of which 49,000 acres are in California (A5058, B5058); small addition to Marble Mountain Wilderness, 14,850 acres (A5074); and the 620-acre Giddy Giddy Gulch-Sand Flat area of the 26,000-acre proposed Mount Shasta Wilderness (A5231); the revised total of wilderness additions recommended by the Administration is 1,193,00 acres. H.R. 1437, in contrast, would designate 58 new wildernesses and wilderness additions for a total of about 2.3 million acres, doubling our recommendations.

Boundary Peak (A5058, B5058) and Red Butte (5703, 6703) were not recommended for wilderness in the RARE II Final Environmental Statement, though ultimately they were proposed as wilderness by the previous Administration. This Administration recommends that they not be designated wilderness. After careful examination of the remaining wilderness recommendations of the previous Administration, we have concluded that 14,850 acres of the 38,000-acre Marble Mountain additions (A5074) should not be designated wilderness because of the high timber values in those areas. We note that the Giddy Giddy Gulch-Sand Flat area is not included in H.R. 1437. We concur that it should not be designated as wilderness but should remain available for consideration for possible winter sports development.

Although H.R. 1437 includes the areas recommended for wilderness in RARE II, H.R. 1437 goes far beyond those recommendations and would designate as wilderness RARE II further planning areas, or parts thereof, totaling 600,000 acres and RARE II nonwilderness and noninventoried areas totaling 410,000 acres. We strongly recommend that these additional areas not be designated as wilderness.

We have major reasons for this recommendation. First, in California there already is substantial land designated as wilderness. Within the 42 million acres in California administered by the Secretaries of Agriculture and the Interior, 2.7 million acres of public lands are in the Wilderness System now, of which 2.1 million acres are National Forest land and approximately 600,000 acres are administered by the National Park Service and the Fish and Wildlife Service of the Department of the Interior. Additionally, 1.3 million acres were recommended for wilderness designation by RARE II; 1.2 million acres of that total are now supported by the Administration. An additional 1.4 million acres of National Park lands are being considered for addition to the Wilderness System, and more than 2 million acres of existing National Park lands are largely unroaded and undeveloped.

Secondly, over 9 million acres of Federal lands in California are already in some form of wilderness study status. About 6.7 million acres of public lands are being considered by the Bureau of Land Management for wilderness suitability. Possible wilderness designation, of course, will be considered in planning uses for the 2.8 million California acres placed in the further planning category by RARE II. As a result of the RARE II process, the Forest Service concluded that these lands needed further consideration. In some cases, sufficient evidence to favor any one use or set of uses was lacking; in other places adjacent to National Parks or BLM lands, more time was needed to coordinate interagency assessment of the wilderness potential. All these further planning areas will remain essentially undeveloped until the land and resource management plans are completed. Upon completion of this planning process, the Administration may recommend the inclusion of additional areas in the National Wilderness Preservation System. Therefore, we recommend the 600,000 acres of further planning areas now included in H.R. 1437 for wilderness designation be deleted.

Thirdly, wilderness designation of the 410,000 acres of RARE II nonrecommended and noninventoried areas included in H.R. 1437 would result in substantial adverse consequences to the National Forest timber sale program, would result in major losses for developed recreation use, would adversely affect mineral exploration and possible development, would affect some proposed small hydro developments, and would limit wildlife habitat management activities.

The areas in H.R. 1437 which were recommended for wilderness by RARE II could contribute 60 million board feet per year in timber harvest. The areas added by H.R. 1437 that are above the RARE II recommendation would add another 116 million board feet annually. Currently, the Forests are planning to sell about 80 million board feet annually over the next 5 years within those areas added by H.R. 1437 that are above the Administration proposal. Actual harvesting of these areas will not take place until the wilderness decisions are made. Until such time, harvesting must be concentrated in currently roaded areas at a higher rate than planned to meet programed harvest levels. The concentration of cutting will continue in roaded areas until the wilderness status is decided and the annual potential yield adjusted.

The economic impacts of H.R. 1437 are substantial. The enclosed supplemental statement summarizes these impacts. The ability of National Forests in California to meet other important resource targets would be jeopardized by the enactment of H.R. 1437. An updated information analysis will be available when National Forest land and resource management plans are completed; however, it already is apparent that on the lands added by H.R. 1437 over and above the RARE II recommendation, there are opportunities for: (1) extraction of gold, silver, uranium, chromite, manganese, copper, and tungsten for which potential exists on more than 200,000 acres; (2) ski development at five potential sites which would accommodate about 14,000 skiers at one time; (3) development for picnicking, camping, and other types of recreation: and (4) the improvement of wildlife habitat.

We also have major concerns regarding the private lands and special exchange language in section 4(c) of the bill. The 44,000 acres of private land contained in four proposed wildernesses in H.R. 1437 (Trinity Alps, Mt. Shasta, Castle Crags, and Granite Chief) are mandated for Federal acquisition by exchange or otherwise. We estimate that purchase costs would be $30 million to $40 million. Exchange of the lands would reduce the acreage, alter the balance of National Forest land devoted to multiple use purposes, and would thereby reduce existing resource management programs. While some exchanges may be desirable, we strongly recommend that California wilderness legislation not include these special purchase or exchange provisions.

H.R. 1437 would designate one new study area--Monache, and one planning area--Orleans Mountain. These areas have already been studied and restudied. There is no management reason nor scientific justification for spending more time and money on redundant studies. We strongly recommend deletion of these special study provisions.

While we concur with part of the proposed transfers of National Forest System lands to the National Park System, we object to others. Section 6 would transfer to the Yosemite and the Sequoia-Kings Canyon National Parks for study and possible designation as wilderness, two RARE II "Nonwilderness" roadless areas (Jennie Lakes #05200 and North Mountain II 5256) and one "Further Planning" area (Mt. Raymond #05242), totaling 16,500 acres of National Forest System lands. We strongly object to these transfers that would establish boundaries that are unrelated to terrain and access, thus complicating the Forest Service's ability to manage the remaining areas.

We concur in two minor boundary adjustments for Yosemite National Park, described in the Park Master Plan dated September 1980. One adjustment (section 6(d)) would transfer the 253-acre Crocker Ridge addition presently within the Stanislaus National Forest to the National Park. The other adjustment (section 6(e)) would delete the 160-acre Raymond Mountain from the Park. This latter area is outside the Park's legislative boundary. It has been administered by the Forest Service under a 1963 Memorandum of Understanding in conjunction with the Sierra National Forest.

We generally defer to the Department of the Interior for detailed comments on section 7 of the bill that would designate approximately 1.4 million acres of the National Park System as wilderness.

We have a number of concerns regarding the special exceptions and provisions included in this legislation which we believe will lower the quality of the National Wilderness Preservation System and provide precedent for similar provisions in future legislation. Details are included in the enclosed supplemental statement.

We note that the bill does not include provision for release of nonwilderness areas nor does it include a statement of sufficiency of the RARE II Environmental Impact Statement. These concepts are of such importance that no additions to the Wilderness System should be made without providing at the same time equally assured permanent status to unroaded lands recommended by RARE II for multiple uses other than wilderness. Therefore, we strongly recommend that language employing these concepts be included in any California wilderness legislation. We recommend that H.R. 1437 not be enacted unless amended to reduce the acreage of wilderness designations to the size recommended by this Administration and unless amended to provide for release and sufficiency as above stated.

We estimate the purchase costs associated with the provisions of section 4(c) would be about $40 million based on 1977 dollars. We do not support inclusion of the section 4(c) provisions. No other increase in appropriations would be required by enactment of H.R. 1437, if amended as we suggest. Administrative costs associated with establishment and management of these new wildernesses would total $2 million over the next 5 years.

The Office of Management and Budget advises there is no objection to the presentation of this report from the standpoint of the Administration's program.

Sincerely,

John R. Block
Secretary

Enclosure

USDA Supplemental Statement
on H.R. 1437

Existing and Proposed Wilderness

Within the 42 million acres administered by the Secretaries of Agriculture and the Interior in California, 2.7 million acres of public lands are in the Wilderness System now; 1.3 million acres are before the Congress as a result of The RARE II recommendations, of which 1.2 million acres are supported by the Administration. An additional 1.4 million acres of National Park wilderness are being considered for addition to the Wilderness System, and more than 9 million roadless acres are being given further study. We believe the existing and recommended wildernesses and the additions that might result from the studies being conducted of 9 million acres of roadless areas will provide a very adequate wilderness resource base in California.

Timber Resources

The RARE II areas recommended for wilderness contain about 7 billion board feet of sawtimber growing stock. Even at an average value of $100 per thousand board feet, this represents a total value of about $700 million. The areas included in H.R. 1437 would cause that figure to be about doubled, adding another 12 billion board feet of sawtimber inventory worth $1.2 billion.

Economic Impacts

The economic impacts of H.R. 1437 are substantial. If enacted, we estimate that returns to the U.S. Treasury from the sale of timber would be about $15-20 million less annually in the next 5 years and about $20-25 million annually in the 10 years following. This dollar loss and subsequent reduction in employment would result from forgoing sales planned in nonwilderness areas that are proposed for wilderness or for further study by H.R. 1437. Plans for these sales, obviously, would need to be cancelled. The resultant loss in jobs during the next 5 years is estimated at about 500 to 600 and would likely increase to about 900 during the following 6 to 10-year period. Jobs lost indirectly in service industries would be about double this number. Many communities, especially in northern California, are dependent on National Forest timber and would be adversely affected.

Other Impacts

The impacts of H.R. 1437 must not be looked at in isolation. They are one more in a series of cumulative impacts that are diminishing substantially the availability of commercial forest land and will subsequently result in a reduction of timber harvest on National Forest System lands in the State. On the Klamath National Forest, for example, the cumulative effect would be to reduce the annual programed timber harvest by 20 pecent from 259 MMBF to 208 MMBF.

The initial Redwood National Park and its expansion in 1978 had a major impact on the economy in Del Norte and Humboldt counties. The employment associated with the timber industry was especially hard hit. These counties were assured that such measures as accelerated road building on the Six Rivers National Forest and accelerated harvest on the Six Rivers, the Shasta-Trinity, and the Klamath National Forests offered promise of lessening the impact. Such relief has not occurred. H.R. 1437 would seriously restrict our ability to increase long term harvest levels and would cause a significant decrease in the present programed harvest from these National Forests.

Management Concerns

Suggested Name Changes--

North Fork - The Administration does not endorse wilderness status for this area. If it is to be designated, we strongly suggest the name North Fork Eel; this will help identify the wilderness by tying it to the North Fork Eel River.

Dick Smith - We recommend the wilderness name be changed to Madulce Wilderness. Congress has heretofore named wildernesses only for prominent, nationally-recognized individuals such as John Muir, (Jim) Bridger, and Bob Marshall. Dick Smith is a recently deceased local journalist and naturalist. We do not believe it is appropriate in this case to commemorate a national wilderness for a person that is not known nationally.

Pine Creek - We recommend a name change to Pine Valley. There are existing wildernesses named Piney Creek (MO) and Pine Mountain (AZ). The name Pine Valley will help distinguish it from other areas.

Wilderness Management Concerns--

Carson-Iceberg - We object to the special provision for grazing management. The Forest Service is implementing the Grazing Guidelines developed in conjunction with legislation enacted during the 96th Congress. We do not believe any additional congressional direction is appropriate.

Dinkey Lakes - The Administration does not support wilderness designation for this area. The special provision to provide nonmotorized dispersed recreation at 1979 use levels could cause adverse impacts on wilderness management.

John Muir Additions - There are portions of this area that the Administration does not endorse. A future management problem lies with the 600-foot corridor for the Dusey jeep trail between a portion of this area and the proposed Dinkey Lakes Wilderness. It will be difficult to prevent motorized vehicle trespass off this jeep trail into the proposed wildernesses. Also, backpacker and motor vehicle conflicts will arise. It is very undesirable to bisect wilderness with a motorized transportation corridor.

San Jacinto Additions - We are concerned about the provision for a potential power transmission corridor through the Cabazon Peak area. If this alternate route for the transmission line becomes a reality and is withdrawn from the wilderness, it will segment the wilderness with a utility corridor. This is most undesirable. We recommend an amendment that would delete from the wilderness the corridor and all lands lying to the north of the corridor should the transmission line be constructed. This would remove from the wilderness a relatively small acreage of land and would prevent segmentation. The transmission corridor would become the north boundary of the wilderness.

San Joaquin - Most of the planned Granite Creek-Jackass hydroelectric project lies outside the wilderness. However, a small diversion dam and tunnel in the vicinity of Iron Creek would be included. Consideration of the proposed Millers Crossing Dam on the San Joaquin River, a major element in the overall project, would be foreclosed by wilderness designation. We recommend the boundaries be adjusted to exclude the entire project. A special grazing provision is included for this area. As with the Carson-Iceberg, we do not believe additional congressional direction is appropriate.

DEPARTMENT OF AGRICULTURE
OFFICE OF THE SECRETARY
WASHINGTON, D. C. 20250

SENATE COMMITTEE ON
ENERGY AND NATURAL RESOURCES
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WASHINGTON, D.C. 20510

February 13 1984

Honorable James A. McClure
Chairman, Committee on Energy
and Natural Resources
United States Senate
Washington, D.C. 20510

Dear Mr. Chairman:

As requested here is our report on H.R. 1341, an Act "To establish the Mono Basin National Forest Scenic Area in the State of California, and for other purposes."

The Department of Agriculture opposes enactment of the bill.

H.R. 1341 would establish the Mono Basin National Forest Scenic Area to be administered by the Secretary of Agriculture through the Forest Service. The proposed bill would modify the boundaries of the Inyo National Forest to include the area within the boundaries of the Scenic Area, require a detailed and comprehensive management plan for the area, require the construction of a visitor center adjacent to U.S. Highway 395, and require the Secretary to commission an ecological study of the Mono Basin Area by the National Academy of Sciences.

The bill specifically prohibits commercial timber harvest and the issuance of geothermal leases within the area. Provisions are made to continue the gathering of firewood by permit and current recreation use. If enacted, H.R. 1341 would grant the city of Los Angeles a permanent right-of-way for their existing aqueduct corridor and repeal the 1936 Act which granted authority to sell lands at $1.25 per acre to the city of Los Angeles for the purposes of the Los Angeles aqueduct.

Within the proposed 60,000-acre National Forest Scenic Area, there would be approximately 20,000 acres of National Forest System lands, 24,000 acres of Bureau of Land Management (BLM) lands, 10,000 acres of Los Angeles Department of Water and Power lands, 5,000 acres of private lands, and approximately 1,000 acres of State lands. The bill provides that the 24,000 acres of BLM lands would be transferred to the Department of Agriculture to be administered by the Forest Service. The bill also provides the Secretary of Agriculture authority to acquire private lands if, at some point in the future, intended use of those lands would be inconsistent with the purposes of the Scenic Area.

The Department of Agriculture recognizes the need for careful planning and management of the Federal lands and supports protection of wildlife, ecological, and historical values within the Mono Lake Basin. The Forest Service and the Bureau of Land Management both already have legislatively granted authority to coordinate land use plans and activities with each other and with State and local governments. The additional directions and authority contained in H.R. 1341 are not necessary to achieve coordinated resource management between these two agencies and will only result in increased budgetary impacts on the Federal Government. These increased budgetary expenditures would result from the requirement for the construction of a visitor center estimated at $1.5 million, the management plan estimated at $200,000, the ecological study (to be conducted under contract by the National Academy of Sciences) estimated at $400,000, and the operation and maintenance expenses involved in managing the area and the visitor center estimated annually at $300,000.

We are also concerned that the establishment of the Scenic Area will be an enticement to developers to consider potential development of those private lands within the area, thereby requiring the Federal Government to acquire those lands at some point in the future. We, therefore, oppose enactment of the bill.

The Office of Management and Budget advises that there is no objection to the presentation of this report from the standpoint of the Administration's program.

Sincerely,

John R Block

John R. Block
Secretary

ADDITIONAL VIEWS OF SENATOR MURKOWSKI

During the Committee's consideration of the California wilderness legislation, one particular issue generic to the management of all wilderness areas was discussed by the Committee: namely, the statutory requirement that all non-federal holders of land within wilderness areas retain access to that land.

The Committee report recognizes that the access provisions of existing law, including the Wilderness Act of 1964 and section 1323 of the Alaska National Interest Lands and Conservation Act of 1980, are intended to ensure "reasonable" access to inholders. The report is adequate as far as it goes; for the sake of convenience the Committee staff has reserved very important questions involving the intrepretation of the existing statutes for a future review. Because it is the desire of the California Congressional Delegation to move this legislation quickly, and because the full exploration of what is essentially a generic issue need not occur solely within the context of this one particular wilderness bill, I did not see the need to press the Committee further on this point. I did, however, want to address what I believed to be shortcomings in the Committee report. I believe we owe the nation's inholders better assurances than what appears in the Report language.

Section 1323(a) of the Alaska National Interest Lands Conservation Act, popularly known as the "Melcher Amendment", mandated that access shall be provided to non-federally owned land within the boundaries of the National Forest System as the Secretary deems "adequate" to secure to the owner the "reasonable use and enjoyment" thereof. This section only deals indirectly with conservation system unit areas overlaid with wilderness designations. Its legislative history cites conflicting interpretations of access rights in the courts and the two jurisdictional federal agencies, Interior and Agriculature. Despite the seemingly strong pro-access language in the Senate Report, inholders still find themselves obstructed (inappropriately, in my opinion) by government agencies.

The Wilderness Act, at 16 U.S.C. 1134(a), provides that private owners of land completely surrounded by National Forest lands within areas designated as wilderness shall be given such rights as may be necessary to assure "adequate" access to such privately owned land. In subsection (b), we find an assurance that holders of valid mining claims or other valid occupancies wholly within a designated National Forest Wilderness area shall be given the right of ingress and egress by means which have been or are being customarily enjoyed, so long as this activity is consistent with the preservation of the area as wilderness.

In short, we have conflicting standards granting unclear assurances, qualified by catch phrases such as "taking into account the particular circumstances of each case" or "consistent with the preservation of the area as wilderness". We also have the unresolved question of access versus use and access.

Our Committee is now beginning to conduct a review of the conflicting morass of access provisions to guide us in the future. Before the results come out and we can act on them, many an inholder and valid occupant will be subjected to ad hoc government regulation, often gone astray.

It is my hope that the agencies charged with granting permits to inholders, and establishing regulations governing them, will permit both use and access to their lands and will not block the property rights of these legitimate owners through inaction or capricious denials. The frustration of Congressional intent by permit denials or bureaucratic red tape should not continue—not in the new California wilderness areas, or in my State of Alaska or elsewhere. Conflicting standards should not be read against U.S. citizens with valid claims and long-standing rights.

It should be clear that this Committee is enfranchising rather than disenfranchising such people by passing this legislation. It should be clear that the access provided herein should not be limited to past uses of an inholding, but must include future economic uses, such as timbering and mining, developed in environmentally sensitive ways.

In Alaska we have seen too many people denied the ability to benefit from their property holdings by obstinate federal agencies. I hope this bill sends a signal to the implementing agencies that inholders rights must be honored and respected.

FRANK H. MURKOWSKI.

CHANGES IN EXISTING LAW

In compliance with paragraph 12 of rule XXVI of the Standing Rules of the Senate, changes in existing law made by the bill as ordered reported are shown as follows (existing law proposed to be omitted is enclosed in black brackets, new matter is printed in italic, existing law in which no change is proposed is shown in roman):

WILD AND SCENIC RIVERS ACT

(82 Stat. 906, as amended 16 U.S.C. 1274)

* * * * * * *

SEC. 3. (a) The following rivers and the land of adjacent thereto are hereby designated as components of the national wild and scenic rivers system:

* * * * * * *

( ) TUOLUMNE, CALIFORNIA.—The main river from its sources on Mount Dana and Mount Lyell in Yosemite National Park to Don Pedro Reservoir consisting of approximately 83 miles as generally depicted on the proposed boundary map entitled "Alternative A" contained in the Draft Tuolumne Wild and Scenic River Study and Environmental Impact Statement published by the United States Department of the Interior and Department of Agriculture in May 1979; to be administered by the Secretary of the Interior and the

Secretary of Agriculture. After consultation with State and local governments and the interested public and within two years from the date of enaciment of his paragraph, the Secretary shall take such action as is required under subsection (b) of this section. Nothing in this Act shall preclude the licensing, development, operation, or maintenance of water resources facilities on the North Fork, Middle Fork or South Fork of the Tuolumne River or on the Clavey River. Nothing in this section is intended or shall be construed to affect any rights, obligations, privileges, or benefits granted under any prior authority of law including chapter 4 of the Act of December 19, 1913, commonly referred to as the Raker Act (38 Stat. 242) and including any agreement or administrative ruling entered into or made effective before the enactment of this paragraph. For fiscal years commencing after September 30, 1985, there are authorized to be appropriated such sums as may be necessary to implement the provisions of this subsection.

* * * * * * *

ACT OF JUNE 23, 1936

(49 Stat. 1892)

[That there is hereby granted to the city of Los Angeles a municipal corporation of the State of California, all lands belonging to the United States situated in Mono County, California, which may be necessary, as found by the Secretary of the Interior, for any or all of the following purposes:

[Rights-of-way; buildings and structures; construction and maintenance camps; dumping grounds; flowage, diverting, or storage dams; pumping plants; power plants; canals, ditches, pipes, and pipe lines; flumes, tunnels, and conduits for conveying water for domestic, irrigation, power, and other useful purposes; poles, towers, and lines for the conveyance and distribution of electrical energy; poles and lines for telephone and telegraph purposes; roads, trails, bridges, tramways, railroads, and other means of locomotion, transmission, or communication; for obtaining stone, earth, gravel, and other materials of like character; or any other necessary purposes of said city, together with the right to take for its own use, free of cost, from any public lands, within such limits as the Secretary of Interior may determine, stone, earth, gravel, sand, and other materials of like character necessary or useful in the construction, operation, and maintenance of aqueducts, reservoirs, dams, pumping plants, electric plants, and transmission, telephone, and telegraph lines, roads, trails, bridges, tramways, railroads, and other means of locomotion, transmission, and communication, or any other necessary purposes of the city of Los Angeles.

[That there is hereby excepted and reserved unto the United States, from said grant, minerals, other than sand, stone, earth, gravel, and other materials of like character: *Provided, however,* That such minerals so excepted and reserved shall be prospected for, mined, and removed only in accordance with regulations to be prescribed by the Secretary of the Interior.

[This grant shall be effective upon (1) the filing by said grantee at any time after the passage of this Act, with the register of the

United States local land office in the district where said lands are situated, of a map or maps showing the boundaries, locations, and extent of said lands and of said rights-of-way for the purposes hereinabove set forth; (2) the approval of such map or maps by the Secretary of the Interior, with such reservations or modifications as he may deem appropriate; (3) the payment of $1.25 per acre for all Government lands conveyed under this Act other than for the right-of-way for the Mono Basin aqueduct: *Provided,* That said lands for rights-of-way shall be along such location and of such width, not to exceed two hundred and fifty feet, as in the judgment of the Secretary of the Interior may be required for the purpose of this Act: *And provided further,* That said lands for any of said purposes other than rights-of-way for the Mono Basin aqueduct may be of such width or extent as may be determined by the Secretary of the Interior as necessary for such purposes.

[Sec. 2. That where any of the lands to which the city of Los Angeles seeks to acquire title under section 1 of this Act, are in a national forest, the said map or maps shall be subject to the approval of the Secretary of Agriculture so far as national-forest lands are affected; and upon such approval and the subsequent approval by the Secretary of the Interior, title to said lands shall vest in the grantee upon the date of such subsequent approval.

[Sec. 3. Said grants are to be made subject to rights-of-way, easements, and permits heretofore granted or allowed to any person or corporation in accordance with any Act or Acts of Congress and subject to the rights of all claimants or persons who shall have filed or made valid claims, locations, or entries on or to said lands, or any part thereof prior to the effective date of any conflicting grant hereunder, unless prior to such effective date proper relinquishments or quitclaims have been procured and caused to be filed in the proper land office.

[Sec. 4. That, whenever the land granted herein shall cease to be used for the purposes for which it is granted, the estate of the grantee or of its assigns shall terminate and revest in the United States. That any grants made hereunder shall not be assigned to any private individual, association of such individuals, or a private corporation.]

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